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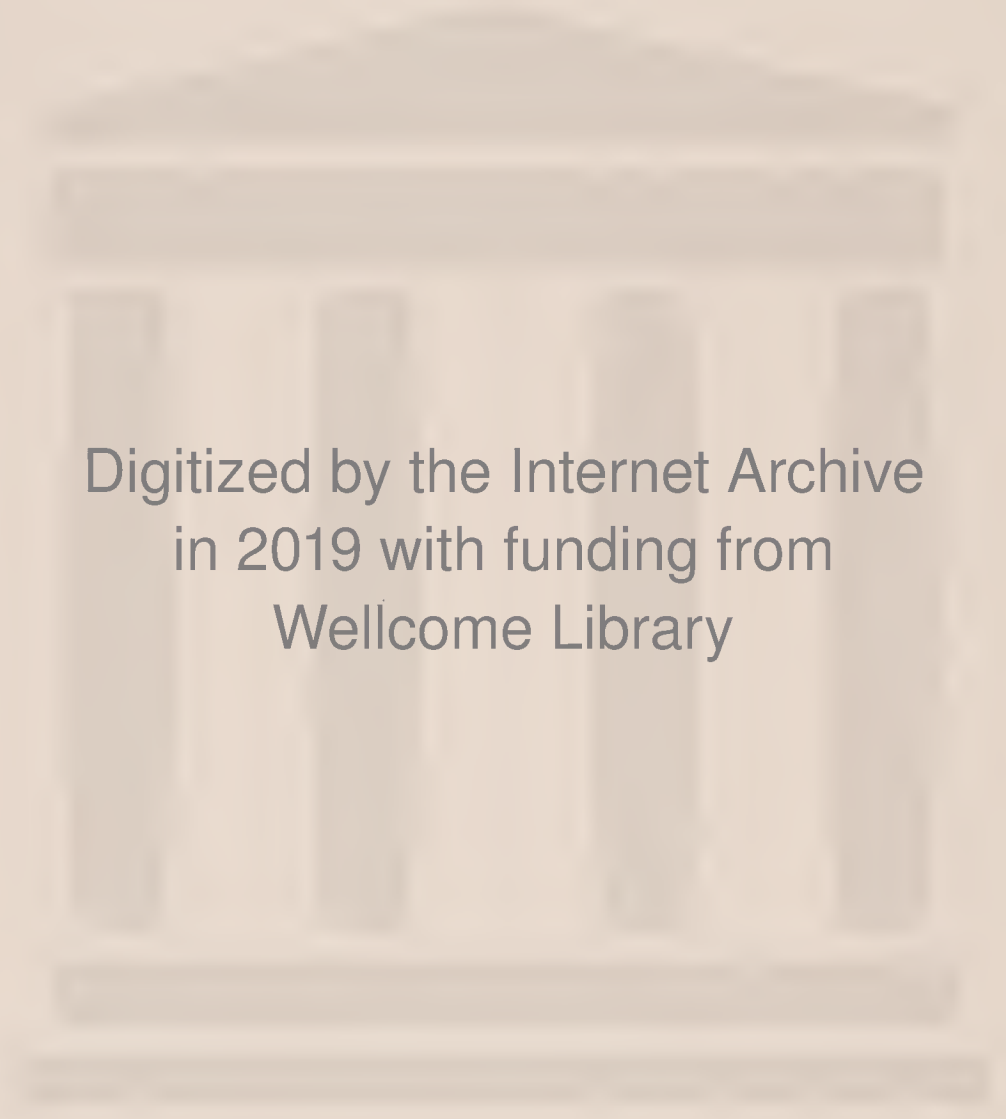
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A New Map of INDOSTAN.

from the latest Surveys

LONDON.

Published by John Stockdale Piccadilly, April 10th 1806.

Unexplored

MOUNTAINS OF THE INDUS

MOUTHS OF THE GANGES

THE NEW

ANNUAL REGISTER,

OR GENERAL REPOSITORY OF

HISTORY,

POLITICS,

AND

LITERATURE,

For the YEAR 1806.

TO WHICH IS PREFIXED,

The HISTORY of KNOWLEDGE, LEARNING, and TASTE, in GREAT BRITAIN, during the Reign of King William III.—Part III.

WITH A MAP OF INDIA.

LONDON:
PRINTED FOR JOHN STOCKDALE,
PICCADILLY.

1807.

Printed by Richard Taylor and Co., Shoe-lane.

PREFACE.

THE Proprietor of the NEW ANNUAL REGISTER, in announcing another Volume of that useful, interesting, and popular Work, feels himself called upon to say a few words respecting the increased price to which he has been obliged to advance it. The bulk of the late Volumes, which is barely proportionate to the increased interest of the times in which we live, is of itself more than sufficient to justify the demand now made on the Public. Compared with any other work of English literature, the NEW ANNUAL REGISTER, both with respect to size, and to the style of execution, in all its departments, will be found cheaper than any other modern Publication; but the claim becomes indefinitely stronger when the various Contents of the Volume are duly appreciated:—as an Historical and Political Register, it gives a brief but faithful sketch of all the most important discussions in both Houses of Parliament, together with copies of the several State Papers referred to; it contains a summary view of every interesting occurrence that has happened during the preceding Year, in the several kingdoms and states of the civilized world:—it records the rise and fall of empires, and develops the causes, which have conspired to augment the power of some, and to diminish the glory and influence of others.

As a History of Literature and Science, an account of every work, both Foreign and Domestic, which has excited public attention, and of every discovery in

Philosophy and the Arts, will be found in departments appropriated to the purpose.

The Principal Occurrences which have taken place on the theatre of life, arranged in a Chronological Order:---the character, talents, and dispositions of persons, who have rendered themselves and their country illustrious by their writings or their actions, pourtrayed in the Biographical Part of the Volume; and the Selections from authors of distinguished eminence in philosophy and literature, cannot fail of gratifying every description of readers.

The execution of the present volume, it is presumed, will be found in no respect inferior to that of those which have preceded it; and it will ever be the ambition of the Proprietor to consign the several departments of the Work to gentlemen, whose diligence, impartiality, and integrity shall ensure to the public a faithful portrait of the times, and, at a period sufficiently early * to gratify the curiosity of those who wish for information on subjects involving the dearest interests of man.

With the present volume is given a very accurate and well engraved Map of India†, which, at a period when our possessions in the East are of such vast importance to our own welfare, and excite so much jealousy in the breast of our rivals, seems an indispensable companion to every student in history.

Piccadilly,
Nov. 1, 1807.

* Such arrangements have been made with the editors, as to ensure the publication of each succeeding volume, early in the spring of every year.

† To complete the Map of India, another sheet will be given in the next volume, which will be published on or before the 1st of March, 1808.

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THE

THE

HISTORY

OF

KNOWLEDGE, LITERATURE, AND TASTE,

IN GREAT BRITAIN,

DURING THE REIGN OF WILLIAM III.

PART III.

THE reign of William commenced under circumstances apparently unfavourable to the cultivation of literature and taste. The revolution itself was an event of such magnitude as could not but throw a shade of obscurity over all contemporary objects: the state of the country had absorbed the public mind, and to trace the fortunes of war abroad, or watch the fluctuations of party at home, became more or less the business of every individual in the community. The fashion of the court was changed;—few of the wits of Charles the second survived to observe the career of those youthful rivals who were to lend such lustre to the age of Anne. The reign of William presents an interval between those brilliant æras, which renders the character of each more distinct. Of those writers who had acquired eminence during the preceding reigns, there yet remain some deserving of notice;—sir William Temple still lived and flourished, venerable for age and wisdom, for patriotism and integrity. He had long withdrawn from court, but in his retreat at Moorpark was visited by king William, who often asked, and, what was more important, often embraced his salutary counsels.

Bishop Burnet exemplified, in his own practice, the rigid principles of episcopal discipline which he had formerly laboured to establish. Indigent and neglected, stript of his pension, deserted by his patrons, Dryden continued to procure by his pen, a scanty and precarious subsistence. Sir William Temple derived from his family an hereditary claim to probity and talents; he was born in 1629; his education, which was strictly superintended by his father, appears to have been no less judicious than fortunate; his classical studies were prosecuted under Dr. Hammond at Penshurst in Kent, and on his subsequent removal to Cambridge he became the pupil of the celebrated Ralph Cudworth.

Having completed his scholastic course, he visited the Continent; to have travelled, being in the opinion of that age essential to the character of an accomplished gentleman. Few books of information concerning other countries were then extant, and a temporary absence from England, presented the most obvious, if not the only means for liberating the mind from local prejudice, and enlarging its sphere of comparison and observation. Mr. Temple travelled not merely as a scholar or a lover of the arts, but as a political philosopher. He studied the laws and examined the various usages and customs subsisting among mankind. He possessed the rare faculty of extracting valuable hints from casual circumstances. The love of usefulness, and of such active pursuits as are directed to important ends, was the leading feature of his mind; and was, perhaps, the cause why, though gifted with all those rare felicities of nature which conspire in the poetical temperament, (to use his own words,) he added to the piercing imagination and poignant wit, the coldness of good sense and the soundness of judgment: he never but in academical exercises attempted metrical composition. His ambition had a nobler object than literary eminence; he sought not only the suffrage of the learned, but the approbation of the wise; he desired not merely to extort the homage but to merit the gratitude of his country.

On

On his return from the continent he found England plunged in the distractions of civil war, in which he appears to have taken no part. It was his fortune to visit the isle of Wight at the time when Charles the first was imprisoned in Carisbrook castle, and at the same period commenced his acquaintance with the lady destined to become his wife, the daughter of sir Thomas Osborne, with whom he afterwards lived in much harmony and felicity. During the commonwealth, he withdrew to his estate in Ireland, where, dividing his time between books, agriculture, and philosophy, he lived in a seclusion acceptable to his taste, from which he seems to have shut out the world, with all its cares, anxieties, and regrets.

On the restoration, he issued from his retreat, and served in the first Irish parliament; but, at the particular solicitation of Charles the second, he soon returned to England, and entered into political life. His public services were no less creditable to his master than beneficial to his country; and they were continued as long as he found his situation compatible with his principles. Perceiving at length that all his efforts to counteract the influence of French counsels were unavailing, he renounced his station, and, after having spent twenty years in the most dissolute court in Europe, resumed his primitive habits of study, with his morals untainted, and his honour undiminished.

Sir William Temple has acquired so much reputation as a statesman, that sufficient attention has not always been paid to his merit as a polite writer. Of his transcendent talents in negotiation, he has left a record in the treaty constructed by him, in concert with the pensionary De Witt, known by the name of the Triple League, the object of which was to form a rampart against the ambition of France, for the liberty and tranquillity of Europe. The unexampled celerity and ability with which this treaty was constructed, drew from the States General an animated eulogium on sir William Temple. In return sir William adroitly referred his success to the relations

necessarily subsisting between England and Holland: "to draw things out of their centre," he observed, "it requires labour and address to put them into motion; but to make them return thither, nature helps so far, that there needs only to set them going." A yet more important service was effected by sir William, in the marriage treaty between the prince of Orange and the princess Mary of England; an alliance, for which Charles the second discovered some repugnance, and the duke of York a decided aversion, but to which the happy consequences resulting from the subsequent revolution are chiefly to be attributed. In this, and every action of his political life, sir William strenuously laboured to unite the interests of England and Holland against the aggrandizement of France.

As a political writer, sir William is entitled to respect; his two statistical Essays concerning Ireland, evince liberal and rational views of commercial policy, a subject then little understood. His Memoirs, though not inviting to the general reader, are valuable for the light which they occasionally throw on the annals of that age, and for the ample elucidation which they afford of its political character. His style is as various as his compositions; in his memoirs it is slovenly, feeble, and coarse; in his miscellaneous pieces it is ornamental but not elaborate. The structure of his sentences is always careless and often happy; he amplifies without prolixity, he is brilliant without ostentation; his mind is perpetually renovated by a stream of thought, full, not redundant, throwing light on every subject, and sparkling as it flows.

Sir William Temple is not betrayed by the fertility of his fancy into those puerile conceits which disfigure the pages of his contemporaries, and his prose has the rare merit of containing the essence of poetry, without ever deviating into the manner of verse. His Essays on Heroic Virtue, on Poetry, and the Gardens of Epicurus are still read with pleasure; but it was chiefly by his Essay on Antient and Modern Learning that he attracted attention in his own age, and provoked

voked a controversy which was protracted beyond his own existence. In this essay sir William avows his bigoted devotion to antiquity, and treats the pretensions of modern writers with unqualified censure and contempt. This want of candour is perhaps imputable to his strong anti-Gallican prejudices, the manners and customs of France being in that age servilely imitated, and its supremacy in fashion and literature at least tacitly acknowledged by every polite court in Europe. Sir William was evidently actuated by his jealousy of natural pre-eminence, when he stigmatizes all the productions of modern times, involving historians, poets, and philosophers in one general proscription. This essay affords a curious record of depraved, perverted taste, in a man of learning and genius. It is true that sir William mentions Sidney with complacency, and Bacon and Spenser with respect. Out of Milton he appears to have read nothing, and of Shakspeare to have forgotten every thing. In adverting to the claims of modern science, he introduces not the names of Boyle, Newton, or Locke, his illustrious contemporaries; an omission which, though indicating in the writer a want of information truly astonishing, may partly be traced to the general penury of scientific information. Of science, strictly speaking, so little was popularly known, that even its name was not perfectly understood; and not only by sir William Temple, but all contemporary authors, the term is indiscriminately applied to physical facts and metaphysical speculations; to the subtilties of school-men, and the discoveries of nature.

The establishment of the Royal Society had already produced a large accession of knowledge, the result of vigilant observation, mathematical induction, and patient experiment: —but the facts thus collected were only for the enlightened student who should be capable of estimating their importance. Electricity and chemistry were yet included in the *terra incognita* of science; the delusions of alchemy, and the fables of astrology, were still prevalent; the vulgar believed in charms, the learned in sympathies; the reveries of Des Cartes were permitted to usurp the place of sense and rea-

son. The magnificence of Newton's discoveries was not obvious to popular apprehension; the truths he had promulged were neither immediately nor universally diffused; but they were imbibed by the scientific mind, and transmitted through the philosophic eye.

A vestige of sir William Temple's classical enthusiasm appears in his will, in which he directs that his heart should be inclosed in a silver box, and buried under the sun-dial in his garden, opposite the window at which he had been accustomed to sit with his sister the accomplished lady Gifford, the companion of his literary and philosophical pursuits.

Gilbert Burnet, descended from parents eminent for probity and piety, was born at Edinburgh in 1643; he received his education at the college of Aberdeen, and applied to his studies so assiduously, that he obtained the distinction of Master of Arts before he had completed his fifteenth year. Originally he had a predilection for the study of law, but soon abandoned it for the clerical profession. In 1663 he visited England, when he became personally known to Mr. Cudworth, Dr. Pococke the orientalist, Dr. Wallis the mathematician, Mr. Boyle, and the most distinguished prelates of the age. From England he proceeded to the continent, travelled through France and Holland, and diligently seized every opportunity of extending his acquaintance with men and manners.

On his return to Scotland, he was regularly inducted to the living of Saltoun, and resided five years on that cure, discharging his pastoral duties with the zeal and simplicity of a primitive apostle. He did not confine his ministerial functions to the service of the church; he visited his parishioners at their own houses, examined them on the doctrinal and practical points of christianity—admonished them as a friend, and watched over their temporal and spiritual interests with truly paternal affection. His piety, however strict, was so tempered by benignity, that he was universally beloved; and though

though he was the only clergyman in Scotland by whom the church of England liturgy was read, he conciliated the Presbyterian party.

Revering his profession, he was anxious to redeem it from the obloquy which it had justly incurred by the secular spirit of its ministers. With this view he published a memorial, in which he contrasted the doctrines and disciplines of the primitive church with the practice of modern times. In his zeal for reformation, he spared not his own blameless life; and he resolved to secede from mixed company, to pursue a rigid course of study, and adopt such an ascetic regimen as actually impaired his constitution.

During his residence at Saltoun he was employed in negotiation between the Episcopal and Presbyterian parties. But this coalition, so often attempted during the reigns of Charles and James, was never effected. The ability which Mr. Burnet discovered in the negotiation, procured his nomination to the chair of divinity at Glasgow; and in 1669 he entered on that arduous vocation; but his integrity did not shield him from reproach, and he provoked persecution by his efforts to allay the heat of party. He was stigmatized by the Presbyterians for liberality, and detested by the Episcopalians for moderation.

In 1673, he again visited England; and having gained great credit with the Episcopalians for his vindication of ecclesiastical authority in Scotland, he was well received at court, appointed one of the king's chaplains, and often admitted by Charles the second and the duke of York to private conference. By the artifices of the duke of Lauderdale, however, a prejudice was excited against him; and the king not only erased his name from the list of chaplains, but, on his seeking a settlement in London, obstructed his nomination to any clerical office; and it was not without difficulty that he was at length appointed chaplain of the Rolls, and lecturer of St. Clement's.

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In that age the spirit of party was omnipotent. Burnet having published his History of the Reformation at a moment when the popular rage against popery was most violent, suddenly became the idol of the people, and received the thanks of both houses of parliament for his work. His reputation thus established, he was reinstated in his former privileges at court, but the only use he made of them was to remonstrate with the king on his immoral life.

During the popish plot, Burnet, so lately celebrated as the protestant champion, offended his partisans by the sentiments of lenity and humanity which he acknowledged for the persecuted papists. His popularity suddenly subsided. The king, mistaking his moderation for lukewarmness, made efforts to gain him to his side; but, neither provoked by persecution nor seduced by blandishment, Burnet preserved both his equanimity and integrity, and, retiring from public life, devoted himself to literary and philosophical avocations. On the trial of lord John Russel he gave such unequivocal demonstrations of attachment to that unfortunate nobleman, as wholly alienated the king's friendship, and by a royal mandate he was interdicted the clerical functions.

On the accession of James, his residence in England appearing unsafe, he took the opportunity of visiting France, Italy, and Switzerland; having received an invitation from the Stadtholder, repaired to the Hague, where he contributed essentially, by his counsel, to direct the prince to that line of conduct which terminated in the revolution. It was at his suggestion that the princess of Orange made to William that concession of her personal pretensions, which secured to him the dignity and independence of the crown. On the mission of Dyckwelt to England, it was Mr. Burnet who furnished his private instructions. The distinction which he enjoyed at the Hague was not unobserved at home; the publication of his Travels, in which he had exposed all the

absurdities

absurdities of the Romish faith, as exemplified in the manners of catholic countries, having given great offence, the king thought it not unworthy of him to require that he should be excluded from his son-in-law's court. In deference to this requisition, Mr. Burnet absented himself from the palace, but still communicated with the prince and princess of Orange through the medium of their confidential ministers.

Perceiving the malice of his enemies, he now procured an act of naturalization from the States General; and a prosecution having commenced against him in Scotland, he repelled the charge, on the pretext that his allegiance was now due to the States. Sentence of outlawry was in consequence pronounced against him, and the surrender of his person, as a criminal, formally demanded by the English envoy. To this imperious mandate the states replied, that Mr. Burnet, in becoming one of their citizens, had acquired a legal claim to their protection, that for whatever crimes he had committed, he was now amenable to their laws, and might be arraigned by their judicatures. In the expedition to England Burnet attended the prince, who continued to treat him with confidence and respect.

The see of Salisbury becoming vacant, Burnet, who, though he neither sought nor coveted preferment, scrupled not to ask for his friends such favours as he would have declined for himself, and recommended Mr. Loyd as a proper person to fill that bishopric, the king replied that he had another person in view for it; and the next day Mr. Burnet found himself invested with the episcopal dignity. In his high prelatical station he was no less scrupulous than he had been in the cure of Saltoun; and so sacred did he hold his obligations to his diocese, that, on being appointed preceptor to the duke of Gloucester, he announced his intention of resigning his see. The king refused—the bishop persisted—finally the matter was compromised by his majesty's giving him permission to devote ten weeks in the year to residence, and the care of his clergy.

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From the accession of William, the bishop's history exhibits an unbroken course of prosperity. The leisure of his declining age he employed in writing the History of his own Times, a well known work; which, with all its inaccuracy, is still valuable for the lively portraiture that it exhibits of a departed age. The rapidity with which the bishop was accustomed to write, affords an explanation; and (as far as such faults admit of extenuation,) an apology, for his negligences of composition. His characters are drawn with much spirit and force—his prejudices are obvious to observation, and arise rather from warmth of feeling, than want of judgment. He has been charged with vanity and egotism, and it would perhaps be difficult to exonerate him from the imputation. Few men have had more to engender conceit, or foster self-complacency. From obscurity and mediocrity he had risen to rank and fortune. Without genius he came to be classed with those who possessed it, and by dint of unparalleled application and perseverance he had mined his way to distinction, and acquired consideration with the first men of his age; directed the counsels of princes, and influenced the fate of kingdoms. His political conduct was always in consonance with his principles;—he had often an intuitive sagacity, which supplied the place of wisdom and experience; and, on any remarkable emergency, he derived from promptitude of decision, an ascendant over men, his equals if not his superiors in ability.

Among the learned writers of this age, was the celebrated sir Thomas Browne, well known for his book on Vulgar Errors, and the interesting biography published under the title of Religio Medici: from this and other parts of his works might be extracted passages scarcely inferior in eloquence to the compositions of Jeremy Taylor. His life has been written by Dr. Johnson with his accustomed felicity and discrimination.

John Dryden was born at Aldwinckle, in Northamptonshire. He was educated at Westminster, under Dr. Busby, and sat on the same form with Locke. On his removal

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to Trinity College, though he pursued the regular course of academical study, he gave no presage of his future eminence; in 1657 he went to London, and soon commenced author. But the two first performances by which he was distinguished, evinced no less the levity of his principles than the brilliancy of his talents. These were, the heroic stanzas addressed to Oliver Cromwell, and the Astrea Redux, in compliment to Charles the second.

Having formed an intimacy with sir Robert Howard, whose sister he afterwards married, he was soon familiar with the court, and caressed by the great; but as neither smiles nor compliments conferred affluence, he was impelled by indigence to make an effort in dramatic composition. His theatrical career commenced with the Wild Gallant, and, after thirty years, terminated with Love Triumphant. He was satirised in the Rehearsal, for which he retorted on its author in his Absalom. His celebrity attracted envy, yet he was constantly under the pressure of indigence. Charles the second admired his genius, but thought not of remunerating it; and, though he occasionally suggested subjects for his pen, conferred on him no substantial proofs of royal munificence.

After the accession of James, Dryden abjured the errors of heresy; a procedure which drew on him much obloquy, his conversion being invidiously ascribed to motives of interest. At the revolution, Dryden was deprived of the pension annexed to the laureatship, and reduced to precarious dependance on booksellers and managers. In this situation he produced his translations of Virgil, Persius, and Juvenal. His Alexander's Feast was among the latest of his productions. He died in 1701, at his house in Gerard-street, and was buried in Westminster Abbey. His name alone supplied his epitaph.

No modern writer, with the exception of Voltaire, has possessed equal versatility of talent. For the drama he had no original predilection: the bent of his genius would have impelled him to epic poetry, he wrote plays because he was poor: that he ever wrote them well must be ascribed to the ex-

uberance of his powers, his theatrical pieces are indeed unequal in the extreme. In some he sinks below criticism; in others he rises above it: and after having been the rejected rival of Settle, he aspires to fellowship, and sometimes to competition, with Shakspeare. He writes alternately in blank verse and rhyme, and defends either practice with equal plausibility. He never fails to produce persuasive arguments in support of erroneous opinions; his faults are as splendid as his reasonings are seductive: and, like Cleopatra, he often *makes defect appear perfection.*

The dramatic history of Dryden obviously includes some account of the contemporary stage; the peculiar character of which affords an easy explanation of his various excentricities and inconsistencies as a dramatic writer. In that age there existed against plays, not only among the puritans, but the great body of the people, an inveterate prejudice, which banished from the theatre the better orders of the community. By some it was shunned with abhorrence, by others stigmatised with contempt. To the learned it appeared frivolous, to the pious profane. Neither grave lawyers nor young tradesmen could frequently attend the theatre, but at the hazard of forfeiting reputation and respectability: still less was this amusement tolerated in the other sex. The custom of wearing masks in the playhouse was probably adopted by the ladies, not so much from convenience as in deference to public opinion. From the operation of these various causes of exclusion there remained for the frequenters of the theatre only the retainers of the court, and such nominal students of law, the loungers of inns of court, as came afterwards to be known by the name of Templars men, eager for cavil and debate, who dogmatised in the green-room, and, often on no better principles than party or caprice, dictated to the author, and gave laws to the audience. Criticism, so derived, could neither be useful nor just. The principles of taste are drawn from good sense and correct feeling: they consist not of laws and limitations, they are not constituted by authority and prescription, neither can they be formed by the accord of two or three individuals on any particular points, however such individuals

viduals may be distinguished by wit and learning: they are drawn from the agreement of many minds of different orders and various powers, but united on some subjects by a common, if not an equal, participation of sentiment. The principles of taste originate in nature and truth, and can be but imperfectly developed when literary cultivation is confined, like the privilege of nobility, to the few, and the exercise of judgment exclusively awarded to those few, is disclaimed by the more numerous classes of the community.

In the reign of Elizabeth the general esteem in which erudition was held produced a cast of pedantry which more or less pervades all the compositions of that period. In the reign of Charles the second, when wit was omnipotent, a flippant character was imbibed by our celebrated writers, equally inimical to good sense, to natural feeling, and refined taste. Neither the senate, the bar, nor even the pulpit, escaped the contagion, the passion for such combinations of thought as surprise the mind, was constantly predominant. As, however, real wit could not, from the limitations imposed on human intellect, always be produced, a spurious wit consisting chiefly of fantastic conceits was generally made to supply its place. A similar character prevailed on the stage; where a puerile fondness for novelty fostered extravagance and wildness of sentiment, to the exclusion of all the simple and natural graces of expression. The struggle for the strange and the new was always apparent, and the poet sought rather to excite astonishment than to protract delight. The court affected to naturalize French idioms, and the court writers to adopt the principles of French criticism. The affectation of introducing French phrases in conversation was keenly ridiculed by Dryden, in his comedies of Sir Martin Marrall, and Marriage a-la-mode, although a similar practice frequently appears in his own writings. The introduction of rhyme in tragedy, which had also originated in the petty ambition of imitating French writers, was, for a time, sanctioned by Dryden with his example, and supported with all his influence! Neither tragedy nor comedy afforded any genuine representations of nature. The style of each was equally artificial: in the one the characters were made for the performers, in the other the sentiments

were constructed for the times, and were commonly such as gratified the political feelings of the audience. In the plays of Dryden and his contemporaries, allusions to the atrocity of treason and rebellion are perpetually introduced, with the obvious view of enticing applause from the court and cavaliers.

After the revolution, when such allusions were no longer seasonable, the plays which contained them became unpopular:—a curious embarrassment occurred to queen Mary, at the representation of the Spanish Fryar; the deposition of king Sancho, and the usurpation of Leonora, having so strongly suggested a comparison with her own situation, that the attention of the whole house was riveted on the royal box, and her majesty was overwhelmed by the rude gaze of the spectators.

Towards the close of Dryden's life, an attack was made on the stage by the celebrated Collier, which insensibly refined the language of dramatic writers. As the audience became more mixed, the taste for the artificial was diminished; the taste for bombast subsided; the passion for extravagance died away; Shakspeare made his way to the public mind, and reclaimed it to truth and nature. It is impossible that Dryden should not have been betrayed into many errors and absurdities by the prevailing temper of his age. So little was Shakspeare appreciated, that his plays seem to have been considered as obsolete; Beaumont and Fletcher had borrowed from him freely, and by these and other poets his thoughts and sentiments were travestied with impunity. Even Dryden, with all his enthusiasm for his genius, scrupled not to transform the Tempest to the Enchanted Island; and with the same temerity which had led him to dramatize the Paradise Lost, he obtruded on the hallowed scene created by Shakspeare's fancy, the baser progeny of his own polluted world. Nor did Dryden presume to question the rectitude of public opinion, which had established the supremacy of Jonson over all his compeers. Dryden was himself compared with Howard and Davenant, and, in the judgment of town critics, surpassed by Settle.

This presumptuous record of folly has, however, been re-

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versed by time and experience; and the plays of Dryden, though never to be approved, are still read and admired, whilst those of his competitors are mouldering in oblivion. In his heroic plays, Dryden opened a field of composition peculiarly his own. In the Conquest of Granada, he delights by the diversity of his characters, the vivacity of the descriptions, the eloquence of the language, and, occasionally, the sublimity of the sentiments. What he has produced is not so much a drama as an epic romance, and it is to be regretted that he had not possessed leisure to produce a poem on a plan so consonant to his genius. In his Don Sebastian, he has rivalled Corneille; in his Anthony and Cleopatra, he has caught a portion of Shakspeare's spirit, and employed it better than his master; in his Spanish Fryar, he has given the happiest example of a double plot, and in every respect, but morals, of a perfect play. In the drama, therefore, if Dryden sometimes fall short of his own powers, he commonly proves superior to other men; as an original poet he is yet more to be praised. Perhaps no individual writer ever contributed so largely to polish and refine a language: in satire he was a master: his Medal, his McFlecknoe, and his Absalom, are all original treasures which have enriched succeeding writers: his characteristic excellencies are versatility and strength; his faults are innumerable, but they are redeemed by the originality and energy of his conceptions.

As a translator he deserves much blame as well as praise: his genius assimilated better with Juvenal and Persius, than with Virgil. His Fables are not the least pleasing of his performances: his Alexander's Feast, which might alone have immortalized his name, was among the latest of his productions. Such an accession of valuable poetry no other writer has supplied to our language: but his merits are not limited to his poetical compositions: in his various Prefaces, and his Essay on Dramatic Poetry, he has established his reputation as a prose writer: the inequalities so obvious in his verse are not discovered in his prose: he is uniformly graceful and elegant; always animated and various, and sometimes eloquent.

To compare Dryden with Pope would be invidious: the latter could not have written so well had not the former written before him, as Æschylus introduced the composition which received perfection from Euripides. Under Dryden's auspices Congreve wrote for the stage: emulous of his genius, Pope "Lisped in numbers for the numbers came"; Bolingbroke caught the glow of Dryden's fancy; and Addison learnt from him to construct sentences with that exquisite felicity which eludes censure, and baffles imitation.

Congreve, who commenced and terminated his theatrical career in the time of William, must be classed with the writers of this age. He was descended from an ancient family, from whom, however, he inherited little wealth. Having completed his academical studies at Dublin, he came to London, and was entered at the Middle Temple, but neglected law, and devoted himself to polite literature. In 1693 was performed his first dramatic piece, the Old Bachelor; the merit of which was acknowledged in the strongest terms by Dryden, who declared that he had never met with such a first play. Its principal merit is an exuberance of wit, which, more liberally than judiciously, is distributed to all the dramatis personæ: his Double Dealer possessed more originality, but met not with equal success: his Love for Love still keeps the stage, and his tragedy of the Mourning Bride is admitted in the number of our dramatic classics. These four plays were produced before he had completed his twenty-fifth year. Disgusted with the ill-success of his last comedy, the Way of the World, he abandoned the stage, and from that period lived in ease and leisure, enjoying the society of his numerous friends. The patronage of lord Halifax had procured him a place, the emoluments of which were adequate to his wishes, and his income was afterwards augmented by his appointment to another sinecure.

Congreve's plays are less licentious than those of Wycherly, and he appears to have revolted from the unqualified coarseness so often obtruded by coëval writers, his morality, is, however, lamentably defective, and he has the artificial style so acceptable to the age of Charles the Second.

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He seems to have conceived wit to be the first of dramatic requisites, for the possession of which he was always ready to sacrifice propriety, truth, and nature.

The reign of William was not unadorned by noble authors. The earl of Dorset, celebrated in the time of Charles the second became the favorite of king William; and Mr. Montague, afterwards lord Halifax, soon rose to high political eminence. Mr. Montague, who, like that Atticus whom he patronised, seemed born to write, to live, and to converse with ease, originally distinguished himself by a poem, written in conjunction with Prior, intituled the Town and Country Mouse, the aim of which was to ridicule Dryden's Hind and Panther. Of the Revolution he was a zealous promoter, and on the accession of William, his services were not unrewarded: he was appointed one of the commissioners of the treasury, and eventually became chancellor of the exchequer. His attention was now directed to schemes of finance, and many of his suggestions were afterwards improved by sir Robert Walpole. As an orator he appears to have had few equals: he gave an admirable proof of promptitude in his first speech, in which he supported the motion for granting the aid of counsel in cases of high treason. When he first rose, he was thrown into embarrassment; but in a few moments recollecting himself, he begged the house to consider "how reasonable it was to allow counsel to men, called, as criminals, before a court of justice, since he who was unaccused, had with difficulty gained courage to address that august assembly."

Without writing much himself, lord Halifax promoted the cause of literature by almost universal patronage. He was not, however, equally favoured by both parties, and, whilst he was the Mæcenas of Steele and Addison, became the Buffo of Pope. He is now known as a poet, only by the adulatory effusions of his various encomiasts: but as a statesman he is entitled to no inferior praise, having uniformly manifested his attachment to the constitution, and his discernment of the interests of the country.

Of opposite principles, but congenial talents, was George Granville viscount Lansdowne, whose premature efforts in

verse

verse were the effusions of that ardent loyalty which was implanted in his childhood, and cherished through life. From the activity of his temper he conceived a strong passion for the military profession, but sacrificed his inclinations to the wishes of his father, and endeavoured to procure by his pen that reputation which he was not permitted to obtain in the field. Participating in the political sentiments of his family, which had been zealously devoted to the house of Stuart, he reluctantly witnessed the abdication of James the second, and submitted to the revolution with an ill grace. During the reign of William and the whigs hé was necessarily estranged from court, but on the restoration of the tory interest, he entered into parliament, and successively filled the offices of secretary at war, treasurer, and comptroller of the royal household. He was one of the twelve peers suddenly created by queen Anne. On the demise of that princess, he was implicated with lord St. John in the charge of treasonable correspondence with the Pretender, and, during two years, continued a prisoner in the Tower. The remainder of his life was spent in the tranquillity of learned leisure: he employed much time in revising his works, and spared no labor in correcting them: they are, however, little read. His lordship, who was a professed imitator of Waller, has caught rather the faults than the beauties of his master. Of his various dramatic pieces, the British Enchanters alone was acted with success: less envied than Halifax, he attracted the praises of both parties: he was celebrated both by Addison and Dryden: his name is immortalised by Pope, as *Granville* the *polite*, and his *Mira* yet lives in the record of that poet, though his own adulatory strains are consigned to oblivion.

> Here noble Surry felt the sacred rage,
> Surry, the Granville of a former age;
> Matchless his pen, victorious was his lance,
> Bold in the lists, and graceful in the dance:
> In the same shades the Cupids tun'd his lyre
> To the same notes of love and soft desire;
> Fair Geraldine, bright object of his vow,
> Then fill'd the groves, as heavenly Mira now.

Both Halifax and Lansdowne were indebted to their rank for the distinctions which they obtained from men of letters. The solicitude which these noblemen discovered for such distinctions

stinctions is illustrative of the manners of their times, and may be considered as a criterion of the honours which were then attached to the literary character.

Pomfret is another poet who flourished in this reign: his biography is obscure, although his poetry appears to have been for a time extremely popular. Destitute of original genius, his penury of thought was rendered more obvious by the vulgarism or corruption of his taste; his numbers have neither smoothness nor strength; his sentiments are coarse and trite; his imagery tame and trivial; his style feeble and sordid. He wrote a pastoral dirge on the death of queen Mary, replete with mythology and absurdity: his longest poem contains a horrible story of Kirke's cruelty: his most popular was the Choice, in which he has versified many common-place maxims of prudence and œconomy. This poem is lavishly commended by Dr. Johnson: it is such, however, as, to use his own words on Congreve's novel, most of our contemporaries "would be better pleased to praise than to read."

Science continued to advance, and its progress was no less rapid than fortunate. The institution of the Royal Society was the commencement of an æra unparalleled for the universality of its researches, and the magnitude of its improvements. The spirit of discovery had gone forth, and its operations were illimitable as the powers of nature: nor were its energies indicated alone by sublime theories or comprehensive systems. They were exerted in useful inventions, and the application of mechanical ingenuity: they were not merely directed to the expansion of human intellect, but to the comfort and accommodation of human life. Never, before or since, have so many illustrious minds been associated in similar views and pursuits. In this scientific confederacy, neither the hostility of party nor the rancour of controversy was permitted to operate:—a noble emulation supplied the place of contention; bigotry and sectarism were banished from a communion, whose supreme object was to diffuse knowledge and elicit truth. In addition to such members of the Royal Society as have been already mentioned, (among whom

whom were Newton and Locke,) the names of Grew, Ray, and Derham, are particularly entitled to notice. Grew was the first who examined botanical subjects with a philosophic eye. In the dedication to his Anatomy of Plants, which was addressed to Charles the second, he observes, "that there were *terræ incognitæ* in philosophy as well as geography, and that it was his fortune to have been the first to give a map of that particular country." Ray published a History of Plants, an Account of Quadrupeds, and a Synopsis of Birds and Fishes: his most popular productions were his Physical and Theological Discourses. Some of his writings were edited by his friend, Dr. Derham, who probably derived from him the radical idea of his own compendious work of Physico-Theology.

It is curious to observe, that the ingenious men of this age scattered, on various subjects, opinions which have since been developed and matured into particular systems: the activity of their minds overleaped the limits of that world which was submitted to their investigation; after having combined all the facts accumulated by former experience, they recurred to hypothetical deductions; and often, by a sudden illumination of reason, anticipated results, which have since been slowly demonstrated to the cautious inquirer, and finally established on substantial sensible evidence. The perusal of Grew will probably suggest the coincidence of those analogies between vegetables and animals observed by him, and the principles of the great Swedish naturalist, Linnæus. The admirable plan of Derham's Physico-Theology has been lately unfolded in Paley's Natural Theology. With the exception of chemistry, and the electrical phænomena, the track of science which has been pursued by our contemporaries appears to have been descried, if not explored, by their predecessors. So true is the remark of Brown in his Religio Medici, that no idea arises in any individual mind, but bears some affinity to such as have previously existed in the minds of other men, and no character can be discovered, whose archetype might not be found; "no spirit but hath had its parallel," however obscured or forgotten, unappreciated or unknown.—*Biograph. Brit. Biog. Dict. Burnet, Temple, Grew, Ray, Wood Oxon. Athenæ.*

BRITISH

BRITISH AND FOREIGN

HISTORY

For the Year 1806.

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For the Year 1806.

CHAPTER I.

Cursory View of the Affairs on the Continent—State of Europe at the Renewal of the Confederacy—Campaign in Germany—Victory off Cape Trafalgar—His Majesty's Speech, and subsequent Debate upon it, in the Lords and Commons—Impeachment of Lord Melville—Supplies—Papers relating to the Marquis of Wellesley—Public funeral Honours to Mr. Pitt—Public Treaties—Thanks of Parliament to Lord Collingwood—Accusation of Earl St. Vincent—Continental Treaties—Public Honours to Lord Nelson—India Affairs—Irish Population—Public Honours to Marquis Cornwallis—Payment of Mr. Pitt's Debts.

WE cannot commence the history of the present year, without recurring to the battle of Austerlitz, the result of which, though fought on the second of December, was not fully ascertained in London till nearly a month afterwards. It was hoped and indeed expected by every lover of his country, that this engagement, upon which so much depended, would have been favourable to the cause of the allies. Never was public expectation more completely disappointed: and there are but few instances on record in which the hopes of a great nation have been so suddenly blasted as was the case with Austria, backed as she was by the power of Russia. As references must frequently be given to this event in the course of the present historical sketch, it may not be improper to describe as briefly as possible the leading circumstances of the battle, as well as those which led to it, and others which have been the consequence of it.

The state of Europe at the renewal of the continental confederacy was apparently highly favourable to the interests of the allies. Buonaparte had inspired the sur-

rounding states and nations with a dread of his power, and alarm for their own independence. The aggrandisement of France had justly become an object of extreme jealousy to the whole of Europe. A solid peace, or indeed a truce of any length, could not be expected; the gigantic projects of the emperor of the French seemed to portend a new order of things on the continent, and to demand every energy that could be brought to oppose his views. Many causes have, however, fatally conspired to prevent any grand exertion in behalf of the independence of Europe; of these, no one presented so insuperable a bar to an effective public league as the jealousy that subsisted between Austria and Prussia. To this may be added the languor that seemed to pervade the greater part of the continent who had been dispirited by the successive triumphs of the French, and were now looking with painful anxiety at the facility with which a French army might burst upon almost any part of Europe, by the advantages which the peace at Luneville had given them over the German empire. Great Britain had entered into a war, and had carried it on almost single-handed nearly two years; and such was the indifference or timidity of the powers of Europe, that a confederacy could scarcely be expected, till necessity should oblige them to enter into an union, as the last measure to which they could resort for the means of self-defence and security. In the autumn of 1804, the impossibility of their continuing any political relations with France was publicly announced. It was then discovered that forbearance on their part was no pledge for their safety, and that the hope of any lasting tranquillity was vain, as depending upon him who was destroying principalities and powers at his pleasure, and creating new ones that should be subservient to his views, and that should second his ambition. At the end of August 1804, M. D'Oubril, the Russian envoy at Paris, in demanding passports, presented a farewell note, in which it is declared, that, "in case the French government shall compel Russia, either by fresh injuries, or by provocations aimed against her or against her allies, or by still threatening more seriously the security and independence of Europe, his majesty will then manifest as much energy in employing those extreme measures, as he has given proofs of his patience in resorting to the use of all the means of moderation consistent with the maintenance of the honour and dignity of his crown." Sweden renounced her political relations with France from the period of the violation of the neutral territory of Baden, and the destruction of the duke D' Enghien which followed it. These two nations, by alienating themselves from the French empire, afforded to the British minister a favourable opportunity for the revival of a continental alliance, and it should seem that some considerable progress had been made in the formation of a treaty with Russia and other powers, before the arrival of the letter from Buonaparte to the king; for in his majesty's speech to the parliament on the 15th of January 1805, after referring to that letter, he observes, "I have, therefore, not thought it right to enter into any more particular explanation, without previous communication with those powers on the continent with whom I am engaged in confidential

intercourse

intercourse and connection *." On the 19th of June following a message of a much stronger nature, and calculated to encourage and to make provision for a continental confederacy, was delivered to the house of commons, in such terms as could not be misconstrued either by this country or by the enemy. The die was evidently cast, and a general war was the consequence. Preparations were accordingly made on the part of France, as well as on that of the allies; and that army which had for many months menaced this country with the vain threat of invasion, was suddenly marched from the coast for the purpose of more active operations. On the 24th of September, Buonaparte left his capital: he passed the Rhine on the 1st of October, and, in the course of a few days only, captured an immense Austrian army, consisting of sixty thousand men, with the loss on his part of less than two thousand. In Italy the campaign, though less disastrous to the allies, was nevertheless very unfortunate to their cause. Scarcely had this intelligence been received, when the exhilarating news of the victory obtained by the British fleet off Trafalgar arrived. While the misfortunes on the continent exhibited the superiority of the French over our allies, the achievements made by the navy of England, under the command of lord Nelson, removed all anxiety at home respecting an invasion, exalted us as a nation in the eyes of our friends, and have checked the ambition of him who hoped to found his own greatness, "in commerce, in colonies, and in ships," at the expense of our humiliation.

The emperor of Germany could not but be sensibly affected at the loss which he had experienced, yet his mind did not bend under the pressure of the calamity: he did not despair of the goodness of his cause or of the means of retrieving his loss, great as it was; he accordingly published, and caused to be circulated throughout Europe, an excellent state paper, and prepared with the aid of Russia to meet the power of France in another situation. He was, however, under the necessity of making great sacrifices: he had applied for an armistice, to which the conqueror was willing to accede, upon the condition of having the Tyrol, Venice, and the strong posts of Germany put into his possession. Upon such ignominious terms, an armistice was equal to a surrender of the Austrian states and crown at discretion. The emperor therefore immediately dropped his solicitations, and published a manifesto, in which he declares his resolution not to make a separate peace, but, relying on the pledged assistance of Russia, to pursue his fortune to the last extremity. He had already abandoned his capital, which was in possession of the enemy on the 12th of November. In six days after, the French entered Brunn, where they found sixty pieces of cannon, and an immense quantity of ammunition, and whatever else that was necessary for recruiting an army. From this period to the second of December nothing of importance happened; but on this day was fought the grand battle in the plains of Moravia between Brunn and Olmutz. Five days before, the emperor of France, foreseeing the dreadful carnage that must result from a contest between two such formidable armies

* See the commencement of the last volume, also the Public Papers contained in it.

as were almost in sight of one another, had offered an armistice. The terms, however, were such as the allies did not think proper to accept: they had indeed presumed too much upon their own strength, and had not sufficiently reckoned upon the experience and talents of him with whom they were to contend. He, on the contrary, soon discovered that the affairs of the opposing armies were conducted with presumption and inconsiderateness. Of this ill-judged confidence Buonaparte resolved to profit: he ordered his army to retreat in the night as through fear, though in truth it was only that he might secure a stronger and more advantageous position, three leagues in the rear of his present ground: he pretended also an anxiety for fortifying his camp, and afterwards proposed an interview with the emperor of Russia, who, disdaining to accede to the proposal himself, sent his aid-du-camp, with a view no doubt of observing the actual state of the French army. This officer, who was a very young man, completely misled by the arts and manœuvres of Buonaparte, returned with a most delusive account of the state of things in the enemy's camp. Some of the veteran Austrian and Russian generals ventured to remonstrate against too much confidence, and to warn their sovereigns of the folly of confiding in such a report as that presented to them by the young officer.

The important day of the 2d of December at length arrived: at one in the morning Buonaparte visited the posts, reconnoitred the fires of the opposite camp, and, trusting to no one, gained for himself and with his own eyes every possible information. He learnt that, with the army he was about to contend, the night had been spent in riot and drunkenness: at sun-rise, orders for a general attack were given, and in an instant every field-marshal joined his corps. A tremendous cannonade took place along the whole line: not an hour had elapsed before the left wing of the allies was completely cut off; and by one o'clock at noon the victory was decided. From the heights of Austerlitz, the two emperors had the mortification of seeing their armies routed, and the flower of their military cut off. The result of this day's battle was, that the allies lost 150 pieces of cannon, and 45 stand of colours. The loss of lives was proportionally great. The allies, after a day so disastrous to their cause, retired, and on the next there was an interview between the emperors of France and Austria, which led first to an armistice and then to a peace.

It has been thought necessary to give this brief sketch of the affairs on the continent, which, though it properly belongs to the history of the former year, is so closely connected with the parliamentary proceedings of the present, as to render a view of the one imperfect without a short detail of the other. For the same reasons, it behoves us to refer to the funeral rites of the hero of Trafalgar, and to the death of Mr. Pitt, events which absorbed the public attention during the early part of the year, and which make a conspicuous figure in the proceedings of parliament. The meeting of the legislature had already been fixed, and men of all parties had assembled in the metropolis, either for the purpose of rendering their homage to the heroism and naval talents of the great Nelson, or in anxious expectation of learning the causes which had produced the dissolution of the

continental

continental confederacy, when the death of the minister, by whose efforts it had been excited, occasioned a short suspension of public business. Mr. Pitt, as will be found in another part of the volume, departed this life on Thursday, the 23d of January, after a long and painful illness, brought on, or hastened, by the fatigues of his official duties.

Parliament assembled on the 21st, and was opened by commission; his majesty's speech was read by the lord chancellor: it referred to the success of his majesty's arms by sea, and particularly to the victory obtained over the combined fleets of France and Spain off Cape Trafalgar, which is justly described as an exploit beyond any recorded even in the annals of the British navy. His majesty most deeply regrets that the day of that memorable triumph should have been unhappily clouded with the fall of the heroic commander, and he calls upon his parliament to concur in enabling him to annex to those honours which he had conferred on the family of lord Nelson, such a mark of national munificence as may preserve to the latest posterity the memory of his name and services, and the benefit of his great example. His majesty next adverts to the application of the means which had been placed at his disposal, for the resisting of the formidable encroachments of France. The treaties entered into for this purpose, he said, had been directed to be laid before them, from which it would appear that he had left nothing undone on his part to sustain the efforts of his allies, and that he had acted in conformity to principles declared by him, and recognised by parliament, as essential to the security of his own dominions, as well as to the safety of the continent. His majesty is consoled in the prospect of the unshaken adherence of the emperor of Russia to the general cause, although the emperor of Germany had been compelled to withdraw from the contest, and he feels no doubt that parliament will be fully sensible of the important advantages to be derived from preserving the closest and most intimate connection with that sovereign.

In the commons his majesty expressed a full confidence in their granting him such supplies as the public exigencies might appear to require: and as it was his earnest wish to contribute, by every means in his power, to alleviate the burthens imposed on his people, he had directed the sum of one million sterling, part of the proceeds arising from the sale of such prizes made on the powers with which he is at war as by law were vested in the crown, to be applied to the public service of the year. The speech concludes with declaring his majesty's full confidence that the attention of parliament will be invariably directed to the improvement of those means, which are to be found in the bravery and discipline of his forces, in the zeal and loyalty of every class of his subjects, and in the unexhausted resources of his dominions, for rendering the British empire invincible at home as well as formidable abroad.—Such is the outline of the opening speech.

In the house of lords, the address was moved by the earl of Essex, who, after having referred to the several topics noticed in the speech, called upon their lordships to prove to the world that the country was united in itself, and that there was but one opinion

among them, which was that of supporting the constitution, and with it the independence and permanent security of every state in Europe, which had manifested an equal desire of defending its freedom and its property against the attacks which had been made, or were likely to be made, against the existence of both.

Lord Carleton seconded the address; and after pronouncing a high and well drawn eulogium on the character, talents, and courage of lord Nelson, his lordship adverted to the victory which had been since obtained by sir Richard Strachan;—to the share which lord Collingwood was entitled to in the honour acquired on the ever memorable 21st of October; and for the great service which he had rendered to the state by his conduct after the action. The noble lord then adverted to the death of the duke of Gloucester, as claiming an unanimous expression of regret;—and to the paternal regard and liberality of his majesty, in devoting to the public service so large a proportion of the money which was his undoubted right, and which was usually accepted by the crown, a circumstance that claimed the gratitude of the country, and would be the means of exciting such a spirit in all classes of the people, as must eventually raise the British name to a higher pitch of glory than it had ever yet reached, notwithstanding that it had for ages ranked highest among the nations of Europe for honour, wealth, and independence.

Earl Cowper concurred in the greater part of the address, but on the subject of the continental treaties he meant to have moved an amendment; the indisposition, however, of the minister induced him to waive his motion till the following Monday, when he should move, "That it was highly expedient and important for the house to go into a full consideration of the present state of the country, and the causes which had produced it."

Lord Grenville perfectly concurred with the last speaker: "I had intended," said the noble baron, "to have discussed at some length the present situation of the country, and not to have suffered this day to pass without seriously considering what has been the result of measures hitherto adopted—in what situation we are now placed by the operation of such measures—and what ought to be done for the interests and the honour of the country. The indisposition of a right honourable gentleman induces me, however, to postpone, for the present, entering into this discussion, which must, under such circumstances, be painful to us all, to me more particularly so, considering the sentiments which I feel towards that right honourable gentleman. At the same time it must not be forgotten, that the situation of the country imperiously calls for investigation. I am ready indeed to concur in an address which pledges no man to any opinion on subjects which must hereafter be discussed, when the papers which relate to them are before the house; I have not the slightest wish to drag such a subject into discussion, previously to the time when the documents shall be laid before your lordships. When they are presented to our consideration, I shall be enabled to judge of their value and importance; of the weight which ought to be attached to them; of the different bearings which they have upon the subject

to which they refer, and of the general results which they present, forming my opinion accordingly. With respect to the services of lord Nelson, we can have but one opinion, and in the paragraph of the address which refers to that subject, I most cordially concur."

Lord Hawkesbury wished also to avoid discussion for the present; at the same time he contended, that it had ever been the constitutional and parliamentary practice, when his majesty's speech had intimated that certain papers and documents would be laid before parliament, to avoid entering into any discussion upon the subject to which they refer, until such documents are actually before the house, and can fairly become the objects of its consideration. His majesty's ministers, in all cases that required it, have laid the necessary papers before the house; when, if they were satisfactory, a day has been appointed for the discussion of the subject; if not, other papers have been moved for, in order that it might be better elucidated. His lordship admitted that the situation of the country required their most serious consideration, and that when the time arrived for entering upon the subject, his majesty's ministers were fully prepared to go into the question without any fear of the result. He was confident that their conduct would bear the strictest investigation, and that they had no wish to elude it for a moment.

Lord Mulgrave did not think it would be possible to produce the papers in time to enable the house to enter into any discussion upon them on the day fixed by the noble earl (Cowper), which appeared to him much too early to allow of that solemn investigation which the importance of the subject required.

Lord Grenville, in reply, said, there were many points respecting the situation of the country which had no connection whatever with foreign treaties, some of which were of the highest importance, and called for an early attention, an attention that ought not to be deferred beyond the day already mentioned.—The address was then agreed to.

In the house of commons the address was moved by lord Francis Spencer, who contended that notwithstanding the disasters which had so unfortunately befallen Austria, disasters on which it was impossible for human foresight to calculate, the situation of this country was by no means more dangerous than in the last summer. We were now not alone and unassisted. We had experienced the unshaken fidelity of Russia, and he was sure the house would be unanimous in the expression of their sentiments of the beneficial effects to this nation which such an alliance must necessarily produce. His lordship then referred to our naval victories, the importance and value of which loudly called for the congratulations of that house to his majesty: and he had no doubt the house would enable his majesty to exercise his munificence, by bestowing on the family of the deceased hero the power of handing down to posterity the illustrious name of the man who had given the death-blow to the French navy. The noble lord concluded by reading the address, which was, as usual, an echo to the speech, with the addition of a paragraph, condoling with his majesty on the recent death of the late duke of Gloucester.

Mr. Ainslie seconded the motion. In deploring the triumphs of the enemy over our allies, he said, we had the consolation that our national character remained unsullied, and our resources unimpaired. If our commerce had, in some respects, suffered by the occupation of so large a part of Europe by hostile armies, yet experience had proved how difficult it was, with every restriction of which tyranny could avail itself, to prevent the introduction into foreign states of those productions of British growth and manufacture, of which they stood in so much need. Though the armies of the foe were marching to avenge what they termed the perfidy of this country, he trusted the house would assure his majesty, that a gallant nation, like that of Great Britain, would not be intimidated by any menaces thrown out against it. The exigencies of the times, he admitted, required great sacrifices; but his majesty had set a noble example, which called for the gratitude and imitation of the people at large. Our freedom, our enjoyments, and above all the power which we possessed of repressing the ambitious views of the emperor of the French, were with him the most heinous crimes. Still, however, if Providence continued that fostering attention to this nation with which it had so long been favoured, he trusted we should yet be able to bring the arduous contest in which we were engaged to a safe and honourable termination.

Lord Henry Petty, so far from objecting to that part of the address which related to the glorious victory of Trafalgar, and to the loss sustained by the nation in the death of the noble admiral, was convinced, that as it was the peculiar talent of that hero to unite all around him in one common effort against the enemy, so the members of that house, and the inhabitants of the country at large, combined in sentiments of exultation for the victory, and in feelings of sorrow on the melancholy circumstance by which it was accompanied. To other parts of the address he had objections so strong that he had intended to have moved an amendment, the language of which would, he trusted, be infinitely more consonant to the extraordinary crisis at which the country had arrived, and more consonant to the feelings which the contemplation of that crisis was calculated to excite. But as reports had been circulated that the individual, on whom would rest the greater part of the task of defending and explaining the conduct which had reduced Great Britain to the state in which she was at present placed, was rendered unable, by circumstances which he deeply lamented, to attend in his place, he should not now propose the amendment, but content himself with begging leave to read it. It stated that the house felt the deepest regret at the serious disasters which had befallen the arms of our allies on the continent, and that it would immediately proceed to inquire into the causes of such unexampled calamity.—That the house had a perfect sense of the alarming state of public affairs, and of the necessity of making every possible exertion to retrieve them: but that it also felt the indispensable necessity of being assured, that the means which might be furnished should not be employed to increase the peril which they were meant to avert, or to aggrandize the power which

they

they were intended to diminish.—His lordship then gave notice, that on Monday next he would propose an address to his majesty, which should be conformable to the sentiments contained in the paper that he had just read, when he meant to enter more at large into the causes which had led to our present exigency.

Mr. Fox declared his entire concurrence in the sentiments expressed by his noble friend. He felt it necessary, however, to say, that in waving this discussion for the present, it was not owing to an insensibility to the afflicting situation of affairs. He was anxious to have it understood, that he was not influenced by any want of feeling for the unexampled calamities which had befallen the second military power in Europe, and he hoped that it would not be inferred, from their conduct this night, that they did not feel for the extraordinary ill-concerted and ill-conducted plans that had led to these unexampled calamities; nor, that their forbearance would be attributed to want of concern or indignation for these disgraceful measures. He was fully alive to both, and it was the strength of his feelings that induced him to concur with the sentiments of his noble friend. The circumstances which led them to defer the discussion would probably last but a very few days, and even if they should extend to a longer period, in that case personal consideration must give way to a sense of public duty, and the business be brought forward on as early a day as possible. He thought Monday, the day proposed by his noble friend, was as distant a day as consistently with a sense of public duty they could fix on.

Lord Castlereagh concurred in the feelings that actuated the noble lord in postponing the discussion for the present, and although the honourable gentleman who had just sat down seemed confident that he could substantiate a charge against his majesty's ministers, they were no less confident that whenever the question should come under consideration, they would be able fully and satisfactorily to justify their conduct. It would then be their duty to state at large what they had to urge in their justification; but until then he should not enter upon the subject. He admitted that if the distinguished individual, who was so intimately concerned with the discussion, should not be able to attend, till after a period, beyond which, from a sense of paramount duty, the noble lord could not put off the subject, it would be competent for him to bring it forward at whatever time his feelings of public duty might render it necessary.

Mr. Windham agreed, that to enter into the discussion at present would not be conformable to the feelings which appeared to be universally excited in the house. It could not be desirable to bring forward such a discussion at the moment when the individual who was to be the principal object of it was lying on a bed of sickness.—These feelings, however, must not continue to influence their proceedings for any considerable period; personal considerations must give way to a sense of great public duty. The address was then agreed to, *nem. con.*, and a committee appointed to prepare the same.

Mr. Whitbread next rose to give notice that if it should be deemed necessary he would, the next day, move that the committee of impeachment against lord Melville, that

that had been appointed last session, should be revived. But it appeared to him that by the act of last session for continuing their proceedings, the committee would of course be in force during the present session: he contented himself, therefore, with giving notice that he should move that the resolutions of the house which led to the appointment of that committee be read, in order that he might afterwards move that such of the members of that committee as were in town should have power to proceed. This motion was afterwards made, and it was ordered that the said committee do sit, and proceed in the matters referred to the next morning.

On Thursday, the 23d, both houses of parliament presented their addresses to his majesty. The same day Mr. Pitt died; in consequence of which the intended motions of earl Cowper in the house of peers, and of lord Henry Petty in the commons, intended for the following Monday, were postponed.

On Friday, the 24th, a message was brought from the lords to the commons, containing a copy of the answer of lord Melville to the articles of impeachment exhibited against him by that house, which upon the motion of Mr. Whitbread was read. It stated that the noble viscount, saving and reserving to himself all just and legal exceptions which can be made to the matter and form of these articles, together with the advantage of his privileges as a peer, doth allege that he is NOT guilty of all, or any, of the misdeeds and misdemeanors charged upon him in the said articles, and that he is ready to prove his innocence in such manner and form as their lordships should think proper to award. This answer was referred to the committee appointed to conduct the impeachment.

It is proper to observe, in consequence of the business to which it gave rise, that Mr. Paull said that he should on Wednesday move for the production of a letter from lord Melville to the directors of the East India company, relative to their debt, dated in June 1801: he also gave notice that he meant to move for more papers relative to the transactions in Oude, and the appointment of the honourable Henry Wellesley to be lieutenant-governor of the provinces extorted from the Vizir.

Mr. Lascelles also gave notice that he should, on Monday, bring forward a motion on a subject that had caused the greatest grief and melancholy throughout the country; he meant the death of that illustrious personage the late chancellor of the exchequer. It was his intention, he said, to move that some signal mark of public respect should be shown to the memory of that great man.

Mr. Fox submitted whether it would not be more proper to postpone that notice until after the discussion of the motion proposed by his noble friend, which naturally claimed the precedency. It was, however, for that honourable gentleman, and those who thought with him, to consider whether the motion which they meant to bring forward might not involve points, the discussion of which would more properly belong to the question announced by his noble friend,—whether in fact it might not be of such a nature as many gentlemen could not assent to without a gross violation of their public duty.

On Saturday Mr. Huskisson moved, that the house should on Monday

Monday resolve itself into a committee, to consider further of the supply to be granted to his majesty.

Mr. Grey recommended the house to consider whether it would be proper to proceed so immediately to vote the supplies under the present circumstances. He had no wish to retard the public business, and should be extremely sorry to cause delay where promptitude was so necessary; but he really thought it would be improper in the house to vote the supplies of the year, while it was altogether uncertain who was to have the management of them.

Lord Castlereagh hoped that when Monday arrived he would not object going into the committee, as arrangements would probably be made before that time to remove the difficulty under which he now seemed to labour, as his majesty was taking measures to form a new administration. He should hope therefore that the house would find no difficulty in proceeding on the business, as the public service would suffer very material injury if the supplies were prevented from passing through the preliminary stages. It was, however, with the discretion of the house, whether it would proceed to grant the supplies in the absence of the chancellor of the exchequer. The house, however, ought to know that his majesty had determined to vest that office, for a time, according to former precedents, in the chief justice of the King's Bench.

Mr. Fox observed, that what the noble lord had said did not meet the objection of his honourable friend. That objection was, to be called upon to grant the supplies when there is no chancellor of the exchequer, nor any first lord of the treasury, so to be called upon to vote them in total ignorance of the persons that are to be responsible for the management and application of them. When, therefore, the matter came to be discussed, he wished to have it understood that his objection was not that the chancellor of the exchequer is absent, nor that the office is in the hand of the chief justice, but what he meant to insist upon was, that there should be some person pledged to the responsibility before the vote passes.

Lord Castlereagh said his answer went to this, that the supplies would not be in such a state of forwardness as to be tangible till long after Monday, and therefore there would be full opportunity to see into whose hands they will pass, as it is his majesty's intention without delay to take measures for forming a new administration. After a few more observations from Mr. Grey, it was ordered that the house should go into the committee on Monday: and on that day, in a committee, the house voted 120,000 seamen and marines for the current year.

On Monday, the 27th January, Mr. Paull rose for the purpose of moving that certain papers, for which he had moved in June last, should be printed for the use of the members; which being ordered, he again rose, and said he was aware of the inexpediency and even danger of moving for many papers relative to any transaction connected with India, but he was under the necessity of asking for a few more which were essential to the purposes of substantial justice. These, however, he said, were the last papers he should call for to support the two charges already given notice of. He would not detain the house longer than by saying, that

that to insure the support of those gentlemen on one side of the house, and the aid and countenance of many honourable disinterested and conscientious gentlemen on the other, he should produce a charge copied almost verbatim from the articles of impeachment voted against Mr. Hastings, by a strong and over-powering majority of the house, at the head of which was the late Mr. Pitt. He then moved for copies of the correspondence between marquis Cornwallis and the nabob of Oude and the court of directors; and also of the correspondence of marquis Wellesley with the native powers, with the British officers employed in India, and with the court of directors of the affairs of India. These motions being seconded by Mr. Keane, Mr. Paull again rose and assured the house that he dared the breath of calumny to impute to him, with justice, any motives but those of a public nature. He bore no animosity to lord Wellesley personally, but he would exert his honest endeavours to prosecute him to conviction; as an enemy to the prosperity and happiness of India, and to the best interest of the mother country. He could consider him in no light but that of a great state delinquent, in the same situation as that in which Mr. Hastings stood on his return from abroad, with this essential difference, that what was undefined crime in the case of Mr. Hastings, was positive criminality in the case of lord Wellesley:—the latter could plead no excuse, no error in judgment, no ignorance of the laws of his country, having been a member of the British parliament when the articles of impeachment were voted aginst Mr. Hastings. He declared that, with the nabob of Oude, or with any other potentate on the peninsula of India, he was as unconnected as with the emperor of France, nor would he allow, with impunity, insinuations calculated, through him, to injure the cause of truth and justice.

Sir J. Metcalf said that similar motions to those now brought forward had led to nothing but trouble and expense. He hoped, therefore, that the house would pause before it would consent to grant papers under such circumstances. He objected to the motions also, as the papers demanded would afford material information to the French government, and he was sure that they would have no tendency to criminate the conduct of the noble marquis. Besides, it would have a most dangerous effect, if, by agreeing to this motion, it should be thought on the continent of India that all the treaties and engagements that had been entered into with the native powers could be rescinded by a vote of parliament. The honourable member had indeed disclaimed any connection with the nabob of Oude, yet it was certain that he had seen that potentate later than any other member of that house.

Mr. Francis said he had already given his opinion to the house and the country of the marquis Wellesley's conduct, and he saw no reason to alter it. He was not to be awed or intimidated into an abandonment of his principles.—The honourable baronet had referred to the danger that arose from the intelligence derived to the enemy from the publication of these papers; but he was of opinion that the enemy had gained more information than these could afford, from marquis Wellesley's intercepted correspondence, which had been published

published in the *Moniteur*, and was afterwards translated into all the London papers. He was himself not aware of any danger that could be apprehended from the production of the papers, and in this opinion he was confirmed by the declaration of the noble lord at the head of the board of controul, who had said that he saw no possible objection to their being produced. After some spirited observations made by Mr. Paull, the several motions were carried.

Mr. Henry Lascelles then rose, and stated that it was his anxious wish, in conducting the melancholy business of which he had already given notice, to endeavour as much as possible to prevent a revival of those political differences which existed during the whole illustrious career of the distinguished person on whose memory it was the object of his motion to confer some singular mark of national respect. He was desirous, that without involving the consideration of such topics, an opportunity should be afforded of bestowing on the memory of so great a man such a distinguished tribute as would be conformable with the feelings of this house and of the nation, for he was sure the feelings were general, and alike honourable to the community, as to the reputation of the party who is the object of them. With this view he should studiously abstain from enumerating the various events that have formed the leading features of his brilliant administration, and should avoid entering into a consideration of subjects that might lead to a discussion foreign to the object of his motion. Having stated thus much, he submitted to the house a motion the same as that which took place in the instance of his illustrious father: for he was sure that no man would deny that the son was as great a man as the father. He therefore moved—"That an humble address be presented to his majesty, that he would be graciously pleased to direct, that the remains of the late right honourable William Pitt be interred at the public expense, and that a monument be erected to his memory, in the collegiate church of St. Peter, Westminster, with an inscription expressive of the irreparable loss the nation has sustained by the death of so excellent a statesman." This motion was seconded by the marquis of Titchfield, who said he was solely actuated in the support he gave to the present motion, by his admiration of the virtues and extraordinary talents of the deceased statesman, and he thought the house called upon to perpetuate the memory of a member, so able, so eminent, so distinguished, and disinterested. On the motion being put from the chair,—

Lord Folkestone said, that though he felt as sincerely as any man for the occasion that had given rise to the motion before the house, he could not, consistently with the sense of public duty, assent to it.—He did not agree that the merits of the right honourable gentleman were such as to deserve some signal mark of the respect of that house, and he should barely state the ground of this opinion to be, the result of a comparative view of what had been the situation of the country when the right honourable gentleman had first come in to office, and what it is at present. On this ground, therefore, if he should be followed by any other gentleman, that might think with him, he should feel it his duty to divide the house upon the motion.

Mr.

Mr. Hawkins Browne had hoped that the motion would have been passed with an unanimity accordant with the universal grief with which every British heart was most deeply affected, and with the unfeigned respect so justly due to the memory of this illustrious statesman, who will ever be lamented and revered. As, however, a noble lord had risen to oppose the motion, he would not content himself with a silent vote. We had only to look around us, and a thousand objects would forcibly obtrude themselves upon our view, amply sufficient to confute the assertion, that the great and good man whom we all deplore, had left this country in a worse situation than he had found it in. He should confine himself to subjects upon which no difference of opinion could be entertained.—The funds, the great criterion of national prosperity, notwithstanding the large expenditure which a long and extensive war had occasioned, where our efforts had exceeded all former precedents, notwithstanding the dismal prospects we have now before us, the three per cents are higher than at the commencement of Mr. Pitt's administration—though we were then in full peace, and there was every prospect of its long continuance. Our public credit had been solely supported by his admirable system of finance, a system approved by all parties, and which, if it had been the single feature of his administration, deserved every honour a grateful people can bestow. After enumerating various other blessings derived under Providence from the same source, he concluded with saying that we may apply to Mr. Pitt what Suetonius says of Augustus Cesar, that he found Rome of brick and left it of marble.

Mr. William Smith felt that he could not, consistently with a sense of public duty, accede to the motion, but must resist it; and, painful as the performance of such a duty must be, he could not shrink from the task. No one who had opposed that right honourable gentleman's measures, nor any friend who deplored him, could more sincerely regret his loss. He had frequently witnessed the exercise of his great talents and transcendant powers, which he had often contemplated with admiration and awe. But when he was to vote this mark of respect to the right honourable gentleman as an "excellent statesman," he thought himself bound to consider whether that character belonged to his measures and administration. To form this estimate, he knew of no criterion but a consideration of the state of the country at the time he came into office, of his conduct while in office, and of the present state of the country. Every gentleman would make the comparison in his own mind, and deduce a result for himself; to him the result he confessed was unfavourable to the honourable gentleman. He had no doubt that the motion had been brought forward on the purest motives, and he was sure every gentleman sincerely regretted the loss, but he felt it an imperious though painful duty to oppose the motion.

Sir Robert Buxton expected that all party considerations would have been buried in oblivion, and that this motion would have been carried with unanimity, as a just tribute to the memory of the greatest man that this or any other country ever

ever produced, to whose efforts and unwearied exertions the nation now owes her present existence.—"I feel," said he, "a greater indifference to the numbers with which this motion shall be carried, as the memory of his great name will not depend upon the records of this house; for long after they shall be annihilated, when the constitution itself shall no longer exist, nay, when the venerable pile which shall contain his sacred ashes shall be crumbled into dust, the immortal name of "Pitt" will be found in the history of the world, when his great character will receive that justice which is due to his transcendent virtues and abilities."

The marquis of Douglas felt it painful to be obliged, by a sense of duty, to oppose this motion. If the gentlemen who had brought it forward had left the ashes of the right honourable gentleman in peace, they would have left the house in a situation in which it ought to remain. He was ready to assent to every thing that had been said of the great and eminent talents of the right honourable gentleman, and to admit that the house ought to be grateful for his services on many occasions; the success, however, of measures could alone entitle them to such distinction as was now claimed. It was not sufficient that a man should have talents and great public virtues; his measures should be successful. The public had not yet rested from paying the last tribute of respect to the memory of the immortal Nelson. Would the same crowds have followed the bier of that illustrious hero if he had lost a British fleet? If not, it was evident that success should crown the effort, in order to entitle the individual to any mark of national gratitude.

Lord Temple spoke in favour of the motion: in doing of which he was influenced by his knowledge of the transcendent talents, and the purity and disinterestedness of the manner in which he had for many years discharged the duties of the office which his majesty had committed to his charge. Impressed with these sentiments, he could support the present motion; and, in doing so, begged leave to state that he represented the feelings of every member of his family.

Mr. Windham said that no man could feel more sensibly than himself every sentiment of admiration for the rare qualities of the right honourable gentleman now no more. He felt this admiration of his resplendent talents in every instance, and came to the present discussion with that awful impression which could not but be produced by the sudden death of a great and eminent man. If this were a question of feeling, it would even then be necessary to observe how far it might be proper to share the distresses of others, or to indulge theirs at the expense of others. It would be right to examine how far they could indulge their generosity at the expense of their public duties. They were now called upon for the adjudication of the greatest rewards that could be bestowed upon an individual. Rewards like those now proposed were always conferred for great and eminent military services, and almost exclusively for those, because these were exploits which came home to the feelings of every man. He that routs the armies of the enemy, and he that destroys their fleets, makes his way directly to the heart of every man. A very memorable instance had lately been seen in the tribute of national gratitude that had been paid to the me-

mory of the immortal Nelson:—Every person in the community, from the highest to the lowest, vied with each other in willing homage to such transcendent merits: these were such that no man could contradict; and therefore it is that, according to the practice of all countries, such services are most particularly distinguished. But how, said he, was unanimity to be expected in granting honours to a person after a long political life? Except the single instance that has been stated as a precedent, no other of the kind was to be met with in the history of this country; and yet many men had distinguished themselves by long, faithful, able, and meritorious services. He then referred to the character, talents, and political virtues of Mr. Burke, to whom no funereal honours were decreed. If the individuals were compared, they would be found to have the same abilities and the same devotion to the service of their country; nor could the circumstance of being in or out of office make any material difference. It might, perhaps, be said, that as he had agreed with the right honourable gentleman since the French revolution, he ought not to oppose the present motion. This he should meet by dividing the whole of the right honourable gentleman's political life into two periods; one antecedent to the French revolution, and the other subsequent to it, and abide by either. With every respect for the talents, and every admiration for the abilities, of the right honourable gentleman, if he were asked whether they had been usefully employed for the country, he should say *No*—not even in that part of his administration that had occurred since the French revolution. He had not conducted that great cause like a great man. He had not conducted it like a skilful minister, with a view to its express objects. His opposition therefore rested on broad grounds;—this was not a time for entering into any inquiry, when the lamented individual was clad in his shroud. But these honours, if granted, would be contrary to historical truth; at such an unexampled and dangerous period to pass a vote of such unqualified approbation of twenty years administration that had brought the country into such a perilous state! When gentlemen rested their support of the motion on the prosperity of the country, he could not help exclaiming—God have mercy upon us if our present state were prosperity! If we were to go on in this state, he did not know how long it might last: and when he compared the present state of the country with what it had been twenty years since, he saw no reason to rejoice. For these reasons he thought the rewards ought to be withheld, as only great merit accompanied by success was entitled to them. No such rewards had been decreed to the immortal Nelson and sir Thomas Troubridge for their conduct at Teneriffe, where they had displayed the greatest heroism, because success had not crowned their enterprise. He should therefore oppose the motion; for if he were to do otherwise, he should never cease to reproach himself for it.

Mr. Ryder expressed his astonishment at what he had just heard. The right honourable gentleman, at the most critical period of Mr. Pitt's administration, had been in union with him; he had been a sharer in his counsels; he had fought hand in hand with him

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those battles which, in the honourable gentleman's own opinion, had saved the constitution; and now, forgetting all former friendships and attachments, he took a part in this discussion which no man could have anticipated:—he affected even to doubt the meaning of the proposition before the house. For himself, he thought it had been sufficiently explained;—it left the question of the conduct of administration during the last six months completely untouched for the future consideration of the house. It was not the stupendous ability of the illustrious person whom he so deeply lamented; it was not the purity of his moral character; it was not the confidence which he enjoyed both in and out of parliament; it was not even the space which he occupied in the age of the world, that was the inducement to the present motion;—it was the use, the practical benefit which this nation had derived from him: The question was whether, on a revisal of his whole life and character, he was not amply entitled to the honour which it was now proposed to pay to his memory.

Mr. Ponsonby said, if this were a question of the private character or of the good intentions of Mr. Pitt, he should not hesitate in giving it his hearty concurrence; but the question was, whether the house should sanction and immortalize Mr. Pitt's system of adminstration. So far from entertaining any wish that the system should be immortalized, it was his ardent hope that it should be interred with the chief impeller of it. If we took a retrospective view of the history of this country, and fixed our attention on those periods in which her glory shone with peculiar lustre, we should find that the very persons and things which had been most intimately connected with that glory, had been the greater sufferers during the administration of Mr. Pitt. The prince of Orange, from whose family this country had received the security of her liberties in 1688, had been expelled from Holland; and the Brunswick family, to whom this country was indebted for her present line of monarchs, had, through the same means, irrecoverably lost Hanover. If a desire to serve the country were assigned as a sufficient reason for coming to the proposed vote, he had no doubt that such a desire operated in Mr. Pitt's mind; it was not the failure in intention, but the failure in judgment, that he condemned. Talents, however brilliant, after the death of the possessor of them, do not entitle his remains to public honour unless he has been successful. That this is an acknowledged position, may be easily seen by a reference to the history of the country. The cases of lord Somers, lord Godolphin, and Mr Pelham, established this point. Mr. Pelham, indeed, had the merit of reducing considerably the public debt, and he died in the possession of office; yet his death was succeeded by no motion of a nature similar to the present. Private virtues, good intentions, and splendid talents were therefore indisputably not enough. Unless success had rendered all men unanimous in their opinion of a minister, no house of parliament was justified in rendering to his memory the honour now demanded.

Mr. Rose had entertained a hope that the resolution proposed by his honourable friend would have been adopted without difficulty, and with unanimity. When, in the

year 1778, a similar resolution had been proposed with respect to the illustrous lord Chatham, it was assented to by the existing administration, notwithstanding that noble lord had been one of their most violent opponents, and had reviled them in the strongest terms, accusing them of the grossest weakness and the basest treachery. Without any wish to provoke a discussion, he would ask, what was the situation of the country when Mr. Pitt came into office. He found it at the end of a most ruinous war, its commerce annihilated, its navy considerably impaired. What were the consequences of his efforts? During the period of his administration our resources had been doubled, our manufactures had been doubled, our seamen had been doubled, our shipping had been doubled. The funds at the period alluded to were much lower than they are now after thirteen years war. That Mr. Pitt had imposed great burthens was very true. That he had discovered extraordinary resources was as true. His honourable friend had taken his resolution as he found it recorded on the journals of the house. He had not altered an iota of the terms, in which the similar one on the death of lord Chatham had been conceived. With respect to the illustrious character who was the object of the present motion, he would only say of him, that he had exhausted life in the service of his country: for it was no exaggeration to say, that the gallant admiral who had lately closed his brillant career did not more decidedly lose his life in serving his country than Mr. Pitt;—his anxiety for his country destroyed him. It was well known to those who were in the room when that great man expired, that the last words he uttered were, "Oh my country." The motion before the house bound no gentleman to an approbation of any particular acts of Mr. Pitt's administration; it went only to assert, what was every where admitted, that Mr. Pitt was an excellent statesman, and that his loss was irreparable to the country.

Mr. Fox.—"I do not know, sir, that ever I rose to address the house in the performance of my public duty with more pain than I do at this moment. I therefore hope that I shall experience some indulgence, if, before I give my vote on this question, I should shortly state the reasons which compel me to oppose the motion now proposed by the honourable gentleman under the gallery. The honourable gentleman says, that all party feelings and political animosities should be laid aside on the present occasion; I assure him, sir, that I do lay aside all party feelings. If I had any such at this time, they would lead me to vote with the honourable gentleman, and not against him. The honourable gentleman must see, that if the gratification of party feelings, if ambition, if private interest, were my objects, the most proper course for me to pursue would be to give an immediate assent to this motion. Upon such a supposition, every one must be sensible how much it would be my interest to conciliate as much as possible all those who had the greatest respect and value for Mr. Pitt, to drown, if it could be done, the very remembrance of our political contests, and endeavour by every means that could be imagined to gain their support and favour. This would be the line of conduct which party views would suggest

suggest as the most proper to follow. But this is not all; there are other motives of no less weight that strongly recommend the same mode of proceeding—These are the high respect and warm friendship which unites me with some of those who support the motion. We have learned from the noble lord (Temple) on the bench near me, how he is disposed; such, no doubt, are the sentiments entertained by those with whom he is most closely connected. I must now then vote in opposition to those whose friendship constitutes the delight and happiness of my private life, and from whom, since affairs have taken such a turn, it is probable I shall never be separated during the remainder of my political life. The vote therefore may be considered as one not given to gratify any feeling of private animosity or of public ambition, but extorted by a most painful but imperious duty. In every party point of view then, whether my object should be to conciliate those who have the warmest attachment to the memory of Mr. Pitt, or to join with those who are already my political friends, my plan would be to support the honourable gentleman's motion. I will go further, and say, that if feelings were to be allowed to direct our conduct on this occasion, the right hon. gentleman opposite (Mr. Rose) might address to our feelings arguments much more powerful than those which he has just now addressed to our reason. I, sir, have been engaged in a long course of opposition to the person for whom public honours are now claimed. I may say that I have been considered, and perhaps it may be called an honour, as his rival. But I do assure the right honourable gentleman and his most zealous and greatest admirers, that during all that time I never opposed him from a personal motive in my life. I will go further still, and say, that another motive would lead me to support the motion, and that is the respect which I entertain for many of Mr. Pitt's personal qualities. Great qualities he certainly had in no ordinary degree in private life, and great qualities also in points connected with his administration. I do not think this a proper time to enter upon the particular acts of that administration, but in the measure of the sinking fund he had always my warmest support, and I freely declare my opinion that this has done a great deal of good to the nation, and that for this, therefore, the country is highly obliged to him. There is another quality for which he deserves great praise. No minister was ever more disinterested, as far as related to pecuniary matters. His integrity and moderation in this respect are confirmed by the state of his affairs when he died. I allow that a minister is not to be considered as moderate and disinterested, merely because he is poor during his life or at his death. But when I see a minister, who has been in office above twenty years, with the full command of places and public money, without any peculiar extravagance and waste, except what might be expected from the carelessness that perhaps necessarily arose from the multiplicity of duties to which the attention of a man in such a situation must be directed; when I see a minister, under such circumstances, using his influence neither to enrich himself nor those with whom he is by family ties more

peculiarly connected,—it is impossible for me not to conclude that this man is disinterested. I must say that he has, with regard to private emolument, acted with a high degree of integrity and moderation. In the course of the long administration of Mr. Pitt, all that he took for himself was the wardenship of the Cinque Ports. This was certainly in him highly disinterested; and his disinterestedness in this respect shines with the more lustre, when we consider the mode in which, according to report, this reward has been since disposed of. I therefore, sir, have every reason, from my intimate friendship and near connection with the living, and from my own private feelings and respect for the dead, who undoubtedly possessed many estimable qualities, to give my support to the motion now before the house. I might be led to this by another motive. If personal vanity had any weight with me, I might from this consideration concur with the honourable gentleman; I might by this means gain a great deal of applause, without any loss whatever in a party point of view, and I do not pretend to be insensible to praise any more than others. Those who admired and supported Mr. Pitt might thus be disposed to call my conduct generous, considering the warm opposition to one another in which we lived; and from what has fallen from the noble lord near me (Temple), it appears that I should not have suffered in the opinion of my firmest friends. But there are cases, sir, in which our public duty is so clear and imperious, that no desire of praise, no motive of personal respect, no wish to gratify our friends, nor any other consideration however powerful, can possibly enable us to dispense with it. We must then act as our conscience directs, however painful this may be to our feelings. In my conscience, sir, I believe this to be one of those cases. If the marks of respect were such as did not compromise my public duty in the compliance, no person would join in it more cheerfully and more eagerly than I should. If, for instance, it had been proposed to remedy those pecuniary difficulties which Mr. Pitt had incurred in the course of his political life; if it had been proposed to do those things for his relations in that way which his own acknowledged disinterestedness did not allow him to do; if it had been proposed to supply the difficiencies of his own fortune, I would most willingly consent that all this should be done in the most liberal manner. But it is a very different thing to be called upon to confer honours upon Mr. Pitt as "an excellent statesman." We ought not in such cases to be complimented out of our consent, if our public duty commands us to oppose the grant of such honours. The public honours are matters of the highest importance, because they must more or less influence posterity. They ought not, therefore, to be conferred lightly, but only where merit is clearly seen and acknowledged. I could further add, that the manner in which the honourable gentleman opened this business would lead me to give his motion my support; but when the public honours are solicited, it becomes me to consult neither my interest nor my feelings, but to adhere rigidly and conscientiously to my public duty. It is not to particular acts only that we are to look. We must consider the general effect which these acts produce, with a view to the public benefit. Certainly when I look

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at lord Chatham's monument, when I find the inscription bearing upon the face of it the grounds upon which this monument was voted, when I find it there stated, that he had reduced the power of France to a very low ebb, and raised the prosperity of his country to a very high pitch,—I must say that this case can never be compared with that of lord Chatham. I must say that the country at present is reduced to the most dangerous and alarming situation, a situation which might call for any thing rather than honours to be conferred upon him who had the direction of the measures which brought it to this state. The right honourable gentleman (Mr. Rose) said, that in the case of lord Chatham there was the most perfect unanimity, though there were many in the house who had opposed his political principles. Why so there was: but then, sir, the merit was clear, and the inscription related to points on which there must have been the most perfect unanimity; and though certainly during the seven years war there was a strong opposition, yet his merits on certain points, to which the inscription referred, were allowed by the bitterest of his antagonists. But though no consideration ought to induce us to betray our trust in conferring the public honours, yet at the same time there are cases in which the effects of this might be less sensibly felt. For instance, in cases where we should be compelled to oppose particular acts of an administration, we might still make a clear distinction between what was good and what was bad. In the present case I shall not enter upon the particular acts. But I was always one of those who constantly said, that the system to which Mr. Pitt lent his aid was an unfortunate and dangerous system, and the great cause of all the misfortunes and calamities that assailed us in the course of his administration. Being of this opinion, how can I conscientiously say, that he who followed this system was "an excellent statesman?" Let us look at the American war, and the death of lord Guildford. For the private character of this man, I had the highest respect and esteem. I lived with him in habits of intimacy and friendship; and yet, had any attempt been made to confer upon him any honour of this nature, I should certainly have thought myself bound in duty to oppose it. Now, I have been uniformly of opinion that the system upon which Mr. Pitt acted was productive of the worst effects to the country and to the world. It was a system little calculated to bring forward men of such eminence as himself, though he was so much attached to it. It was owing to him indeed, I am persuaded, that the system maintained its ground so long—His great eloquence, his splendid talents, cast a veil over it, and concealed those things which otherwise would have been exposed in all their odious deformity. No man can be more desirous than I am to bury in oblivion the remembrance of those contests in which we had so long been engaged.—This I showed plainly enough while he was alive. But I cannot consent to confer public honours on the ground of his being "an excellent statesman;" on the man who, in my opinion, was the sole, certainly the chief, supporter of a system which I had early been taught to consider as a very bad one; an idea which the result has fully and fatally justified. Thinking thus, it cannot be expected that

I should so far forget my public duty, and the principles which I have uniformly professed, as to subscribe to the condemnation of those principles, by agreeing to the motion now before the house. But I defy the honourable gentleman; I defy any person who differs from me, and yet nationally considers the subject; I defy any one of those who are most desirous of carrying this motion, to misrepresent my motives, or to point out any possible feeling of interest or ambition that could induce me to oppose it. My motive is a sense of public duty, which would be violated if I were to agree to confer honours on grounds which to me do not appear to warrant my concurrence. Sir, I am sorry that this motion was ever made. But I must do my duty."

Lord Castlereagh began by stating that what he had to observe was not meant as a reply to what had fallen from the right honourable member who had just sat down, and who had spoken with a liberality that was highly honourable to his feelings and character. Upon the arguments of that right honourable gentleman it was not his intention to reason; this in fact was not a question to be determined by argument. It was quite a question of feeling. The acquiescence of that house and the country, in such a proposition, was more to be looked for from intuitive feeling than from cold reason: and if that feeling did not exist, it was in vain to think of arguing men into it. With regard to the allusions which had been made to the merits of the earl of Chatham, and the attemps to contrast these merits with those of Mr. Pitt—the different circumstances in which they were placed must be taken into consideration, before any fair estimate could be formed of their relative merits. Mr. Pitt, it was known, had to manage the government in times of peculiar peril—at an æra indeed unparalleled in the history of this country or the world—without any precedent whatever to assist his judgment, much less to direct his way. In that unprecedented situation Mr. Pitt had conducted himself in such a manner as to merit the approbation and obtain the confidence of the parliament and the country. Was it then too much on the part of the friends of such a man to require a public mark of respect and gratitude? Or would it be consistent with the honour of parliament, or agreeable to the feelings of the country to withhold it? It was contended that similar honours had been withheld from men of equally eminent abilities, and Mr. Burke had been adduced as an instance. He conceived, however, that the character of this celebrated individual was not of such a nature as to warrant any man in bringing it into competition with that of Mr. Pitt.—There were so many points of difference between the two men, that a comparison between them could not be fairly instituted. Indeed the right honourable gentleman himself must be aware, that however he might regret the circumstance, he could not persuade parliament to adjudicate to Mr. Burke the same honours that were now proposed to be done to Mr. Pitt. Differing widely as he did to the gentlemen on the other side, as to the conduct of the recent transactions on the continent, however unfortunate the result, he could not assent to the assertion that these transactions served to abate the claims of his deceased friend to the esteem of that house and the country

try. But on this subject he did not mean at present to enter. That would come more properly before the house at another time; but he was fully persuaded that the conduct of the last six months of his deceased friend's administation had evinced a series of the most splendid efforts, not only for the salvation of this country but of Europe. If these efforts had failed, their failure was not to be attributed to him. As far as his arrangements could extend, as far as his influence could operate, as far as he was implicated, there was not a shadow of doubt that his conduct would be entitled to great praise. Passing, however, by the whole of this question, he saw enough of the eventful life of Mr. Pitt to justify the highest eulogium. The judgment, activity, and resolution, manifested by his deceased friend during the progress of the French revolution, were amply sufficient to sustain even more than the proposition before the house. The house would act inconsistently with its own opinion repeatedly expressed, if it hesitated to recognise the merit, if it declined to distinguish the memory, of Mr. Pitt. Such a thing was not to be supposed possible. That house, which had, through a series of unexampled difficulties and dangers, honoured Mr. Pitt with the most distinguished support—which had testified an approbation of his measures by majorities unparalleled, in consequence, rank, character, and talent—which approved his proceedings in peace—which went along with him in war—could not withdraw their regard for a long-tried friend now that he is no more. He had no apprehension that they would—A just reliance on their honour and generosity forbad the suspicion.—Unanimity upon such a question was no doubt highly desirable; but that he clearly saw was not to be obtained. It was impossible to model a motion of this nature so as to be agreeable to the sentiments of the gentlemen on the other side of the house. Yet he must say that he should have framed a motion much stronger than that now before the house. Impressed as he was with the eminent virtues, the transcendent talents, the distinguished services of his deceased friend, he had no difficulty in stating, that he should have felt that the compliment paid to his illustrious father was cold and inadequate upon this occasion; but it was deemed advisable to follow the precedent chalked out in the case of lord Chatham, because it was not thought just to place the name of Mr. Pitt on such a pedestal, as should, by its comparative elevation, depress the distinction and consequence of other meritorious public men. For his own part, he had little doubt that, if dangers should arise similar to those against which Mr. Pitt contended, it would be necessary to recur to his system. The efficacy of that system had been experienced: to this we owe the internal peace of England amidst the convulsions of Europe, and the security of the English constitution. Any deviations, therefore, from such a system, under similar circumstances, no wise man would recommend; and he was sure that such a recommendation would not be graciously received among the respectable and intelligent part of the people. Adverting to the remarks on the alleged failures of Mr. Pitt, the noble lord challenged any gentleman to mention a minister in the history of the country, who, if success were to be the criterion upon which public

honours

honours were to be voted, was by any means entitled to such honours as Mr. Pitt. Had he not saved the constitution? had not the measures of his administration been productive of unprecedented prosperity? and was not the success of our arms in war infinitely more splendid than any thing that had been achieved during the administration of every one of his predecessors, not excepting that of his illustrious father? Whether we looked to the amount of our military forces, and their efficiency wherever they had occasion to act—whether we looked to our means of defence or attack—we saw ample grounds to assert the success, to panegyrize the wisdom and vigour of Mr. Pitt. But if we looked to our navy, what an impressive testimony of his active vigilance and provident attention presented itself to our view! It was notorious that under his administration, that important branch of our power had advanced by rapid progression, and attained unparalleled glory. In that department, indeed, his administration presented a series of the most brilliant successes, terminating in that glorious action which immediately preceded his death, which, from its character and result, seemed to have crowned the expectation which even a sanguine admiration of the British navy would induce one to form.

Mr. Wilberforce bore testimony to the great public virtues and splendid talents of Mr. Pitt, in whom he declared the love of country was to be found as sincere and ardent as ever yet existed in any human bosom. He reprobated the idea of appreciating the merit of a great man by the success of his measures; such a rule was inconsistent with wisdom and justice. Results might frequently arise, the cause and credit of which might not at all belong to the plan of operations intended to produce them. He was aware that parliament acted from results, in voting addresses for military or naval achievements, because from results upon such subjects they could only decide. But the case was quite different with regard to great projects of domestic and foreign policy. Such projects the house was able to examine, and upon examination they might appear to have been contrived with the utmost wisdom, although productive of very unfortunate results through the weakness or treachery of those employed to carry them into execution. The application of these remarks must be obvious: they were intended to guard against premature impressions upon a subject into which he did not mean to enter further at present, as he was very unwilling to utter any sentiment upon this occasion that was likely to excite opposition: he would offer no opinion upon the subject of the last campaign, but only observe that it did not follow, that, because success was on the side of the enemy, Mr. Pitt was not to be allowed any merit. But overlooking this question altogether, there was a part of Mr. Pitt's political life upon which the world had long determined, which fully entitled him to his country's best wishes. When the revolutionary spirit had convulsed France, and alarmed the whole civilized world, that distinguished statesman completely succeeded, by the wisdom and sagacity of his measures, in preventing the dreadful plague from reaching our shores. This was the main source of his distinction:—this was the great pedestal of his fame. The honourable gentleman pronounced a high eulogium

on

on the conduct of those who opposed this motion, which was alike honourable to their own character and to that of their country. It afforded a signal instance, that the spirit of party could not operate in the breasts of Englishmen to extinguish those feelings and sentiments which enabled men fairly to judge of character, and justly to estimate merit. To the motion before the house, he was happy to give his warmest support, and this he felt but a small tribute of deference to the memory of a man who was ever the object of his esteem and admiration, who was equally distinguished for great talents, for exalted character, for enlarged views, for personal purity, and for indefatigable patriotism. Of him indeed it might well be said, that the first wish of his heart was the good of his country, and the sole object of his study was the interest of his country. Undoubtedly, had self been of any consequeuce in his consideration, he might have materially contributed to promote his own views of policy by cultivating connections and private friendships. But to these things, which are so diligently consulted, and which are of such material use to other public men, Mr. Pitt was quite inattentive; to whatever regarded his own interest he was perfectly indifferent. Indeed this distinguished man was always forgetting himself, but ever remembering his country.

After a few words from sir Robert Williams the house divided; and the numbers were

For Mr. Lascelles's motion	258
Against it - - - - -	89
Majority	169

Mr. Cartwright gave notice of a motion for the payment of Mr. Pitt's debts; and lord Castlereagh said that he should, on the next day, move a vote of thanks to the officers, seamen, and marines on board the fleets of lord Nelson and sir Richard Strachan.

In the house of lords, on Tuesday the 28th of January, the secretary to the board of naval inquiry presented the twelfth report of that board, with observations by way of supplement to the first report, which were ordered to be printed.

Lord Mulgrave next laid before the house copies of treaties entered into between his majesty and the king of Sweden and the emperor of Russia, and also of the accession thereto of the emperor of Germany and Austria. He thought it his duty to state to their lordships, that to the treaty of St. Petersburgh, as it now existed, there were fifteen supplementary articles: of these the tenth was never ratified; it was of course nugatory: of the remaining articles, the second, fifth, seventh, and ninth contained recitals, the publication of which might be injurious to the welfare and safety of other nations; and therefore it had been thought expedient to withhold them. But he was convinced no other motive would be imputed to himself and to those with whom he acted, than a desire to do nothing that should be the least detrimental to any of those powers to whom the treaties referred. They could indeed have no other motive, as those who, in all human probability, would shortly succeed to the offices occupied by himself and his colleagues, would have an opportunity of investigating the documents themselves, and of judging whether or not his majesty's present ministers had been actuated by a proper caution in withholding them. He was at the same time most anxious that every document which

which could with safety or propriety be produced, should be laid before the house, in order that the whole of the late transactions on the continent might be fully developed, and laid open for discussion. He was ready to admit that the unfortunate issue of the late events on the continent demanded investigation; but he was equally ready to declare that his majesty's ministers did not shrink from the discussion, but they wished to meet it fairly and fully in every part. It was still more his anxious wish that the discussion might take place, in order that the character of that illustrious statesman, whose loss they all deeply deplored, might be fully cleared, as it undoubtedly would be, from any imputation arising from the contemplation of the late unfortunate events on the continent. He was fully convinced that the result of such a discussion would be, a thorough justification of the plans of his majesty's ministers, and a complete refutation of every attack made upon that illustrious statesman, in consequence of the unfortunate issue of a well concerted plan.

The papers were then ordered to lie on the table.

Lord Hawkesbury arose to move the thanks of the house to vice-admiral lord Collingwood, and the officers and seamen under the command of the late viscount Nelson. He began with deploring the loss of this great man, who, he said, had devoted himself with ardent and patriotic zeal to his country, and whose services formed a succession of the most brilliant and splendid achievements that ever were performed by any individual in any country. That illustrious commander seemed to derive a new spirit from every success, which incited him to gain a still greater and more splendid victory. Thus, of the great victories which he obtained, each exceeded the other in splendour; and it was justly said of him by an illustrious statesman, whose loss they had now to lament, that the victory of Trafalgar bore the same relative proportion to the victory of Copenhagen, that the latter did to the victory of Aboukir, which was, at the period it was obtained, the greatest victory that had then ever been achieved. All the qualities which constituted a great commander were possessed in the fullest force and effect by the late lord Nelson. That noble lord foresaw and provided against every contingency: not merely forming his own plans, to suit almost every possible event, but making them at once understood by every captain who served under him; thus in the heat of action they were prepared for whatever circumstances occurred, every one having for his guide a well-digested and thoroughly understood plan for every situation in which he might find himself placed. Prompt and decisive, his orders had an electrical effect upon those who served under him, whilst his conduct inspired them with an unlimited confidence in their commander. On every occasion he evinced that decision and energy which were the true characteristics of a great mind. Every quality of a great commander were possessed by lord Nelson, who by a liberal treatment of those who served under him inspired them with esteem for him as a man, in an equal degree to that unlimited confidence which they had in him as a commander. Formidable to the enemies of his country in battle, he displayed towards them afterwards the most amiable humanity.

After

After some other compliments paid to the character of lord Nelson, and lord Collingwood, the noble lord concluded with moving in the usual terms for the thanks of the house to vice-admiral lord Collingwood, rear-admiral the earl of Northesk, and the captains, officers, seamen, and royal marines, under the command of the late lord Nelson.

The duke of Clarence said, he had framed motions upon the same subject which he would read, and which, if the noble lord consented, might be incorporated with or substituted for the motions of the noble secretary of state. He did not however mean to disturb, in the least, the unanimity which he trusted would prevail on the occasion. He concurred in every eulogium which had been passed upon the character and conduct of the viscount Nelson, with whom he had been in the habits of the most intimate friendship. His royal highness entered into a brief historical narrative of the professional life of lord Nelson, bestowing upon him high praise for that decision which prompted him to sail to the West Indies in quest of the French fleet, who were frightened from thence by the terror of his name. To the other great qualities of a commander, lord Nelson, he observed, added a most fervent sense of religion, and always evinced the most exemplary piety. He had in his possession a paper containing, he believed, the last words that lord Nelson wrote, which his royal highness then read: it was a most fervent prayer to the Almighty to grant a victory to his country. He concluded with reading his motion, which went to thank lord Collingwood in detail for his prompt obedience to the orders of lord Nelson, for his gallant exertions during the engagement, and for his conduct after the action, in destroying the captured ships. His royal highness, after some discussion, in which lord Hawkesbury, the earl Spencer, and lord Sidmouth took a part, consented to give up the former part of his motion, and it was agreed to add a vote of thanks to lord Collingwood, for his exertions during the engagement and also for his conduct after the action. The next motion was likewise altered, on the suggestion of the royal duke, for the purpose of giving separate thanks to rear-admiral the earl of Northesk, who was the only other flag officer in the fleet. The motions were then carried *nem. con.*

Lord Hawkesbury then moved the thanks of the house to captain, now rear-admiral, Strachan, and the officers, seamen, and royal marines, of the squadron under his command.

The duke of Norfolk thought there was a commander, who though he had not enjoyed the opportunity of gaining a splendid victory, yet in his opinion deserved the thanks of parliament for his patient and unwearied attention to the duties of the situation in which he had been placed, and in which he had continued year after year, and storm after storm: he meant the gallant admiral Cornwallis. He also referred to the services of sir Robert Calder, who, he conceived, had gained a great victory, and which at the time was deemed of importance to the country: and though he was aware that the merit of the victory might be supposed to be done away by the sentence of the court martial, yet he could not help thinking that sir Robert Calder was entitled to the thanks of the

the house for what he did effect. The earl of St. Vincent spoke in praise of sir Robert Calder's conduct while that officer served under him; but conceived that it would not be for the benefit of his majesty's naval service to discuss the subject alluded to by the noble duke.—The motions were then carried, *nem. con.*, and the whole of them were ordered to be communicated by the lord chancellor to the respective commanders.

On the 28th of January, Mr. Jeffery moved that the order made a few days before for printing the papers presented from the admiralty, be discharged, as he was convinced that a wish to procrastinate was the only motive for requiring that such a voluminous body of papers should be printed. It was a wish to delay those charges which it was his intention to bring forward and to substantiate against the earl of St. Vincent, during his official situation, and particularly while he was at the head of the admiralty. He persisted in asserting that he could bring such proofs before the house, as would convince them of his justification, and of the noble lord's criminality. If, however, the house should decide that they should be printed, he must certainly bend to their decision; but he was convinced that in that case, they themselves would not have the patience to read them, they were so irrelevant.

Admiral Markham could not express the surprise which he felt at what he had just heard. It was, indeed, most extraordinary, that the honourable gentleman who had brought forward a charge, clothed in such invective and scurrility, should be the very man to shut out the light. The honourable admiral contended that there was not one of those papers which was not absolutely necessary for the justification of the noble viscount. It was not enough that they should lie on the table, they ought to be made public, that the author of this charge should have it retorted with accumulated weight on his own head. There were still some further papers requisite to the noble earl's defence, and he should not be deterred by the honourable gentleman from moving for them. This was not a common question. It not only involved the character of the noble lord, but the very existence of the country.

Mr. P. Moore had witnessed many things, but, he said, this was the most extraordinary proceeding he had ever known. The honourable gentleman, not satisfied with repeating his accusation against lord St. Vincent, had accused the whole house of commons, by saying that they would not have patience to read the important papers before them. The abstract of the honourable gentleman's argument was simply this, "Let me produce all the papers I choose, but do not let the noble lord bring any, whereupon to form his defence." He could tell that honourable gentleman, that he for one should read the papers produced, that he had already read the papers produced by the honourable gentleman, but if he had no better grounds of proceeding, he advised him to make the *amende honorable*, and to retire before he proceeded further.

The attorney-general said, that however voluminous the papers might be, he would recommend to the honourable gentleman to withdraw his motion. On such an important subject, the house would do well to sacrifice something towards obtaining every necessary document.

cument. After the papers should be printed, they might be referred to a committee, who might, if they thought fit, narrow them.

After some observations to the same point by Mr. Serjeant Best, sir William Milner, and sir William Young, Mr. Tierney declared that the charge of a wish to procrastinate was a most unwarrantable calumny. As well, and better, might the honourable gentleman be charged with a desire to procrastinate, having allowed the noble lord to remain eighteen months out of office before he brought forward his charges. It was certainly thought by some that the honourable gentleman was set on by a board smarting under the lash of lord St. Vincent's exposure. How did the honourable gentlemen know the import of these papers? He must have seen them privately, and if privately—scandalously, and suspiciously.

Mr. Jeffery, having declared that he had not drawn his knowledge of these papers from any public office, or from either the navy or admiralty boards, consented to withdraw his motion.

Lord Castlereagh presented copies of a treaty entered into by this country with Sweden, and also of three concluded between this country and Russia, with the accession of Austria to the latter.—After the titles had been read by the clerk, Lord Castlereagh said, it was his most anxious wish, and the most anxious wish of those with whom he had the honour to act, that every thing which could tend to elucidate the great transactions on the continent, during the last six months, should be before the house. He trusted that it was not with vain confidence, that he and his colleagues looked to a result of the investigation creditable and honourable to themselves. But it was due to the character of this country, it was due in justice to other nations, that some disclosures of considerable delicacy should be withheld. It would not therefore be expedient to lay on the table all the discussions that had taken place with the continental powers since the close of the year 1804. For himself, he regretted that the discussion of this question did not in some degree take place on the first night of the session, as it would have clearly pointed out to the attention of ministers, those parts of these important transactions which the gentlemen opposite wished particularly should be elucidated. It would have served as a land-mark by which they might have shaped their communications. That calamitous event which all regretted, prevented this at any subsequent period; all therefore that administration could do, was to follow the course which to them seemed most advisable; and it would be open to others to found on that course any additional motions that might appear to them to be necessary. The house must be aware that many of the conditions and stipulations with the continental powers, must be contingent and eventual, depending on the part that they were induced to take in the war. Ministers had not thought it a duty to lay before the house any of those conditions which were never acted upon, but those parts only which gave activity to hostile operations. With regard to the stipulations of the military force, to be brought forward by the different powers with whom the treaties had been concluded, there were two main features, to which he wished that the attention of the house might be peculiarly directed.

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The first was, What was the actual force which government had every reason to believe was in the field against France, and which justified them in inducing the continental powers to resist her? And the second, To what causes the failure of this grand confederacy was to be attributed? In order to enable the house to judge of the latter, ministers had ordered that there should be laid before the house details of the plan of the campaign, and of the system on which it was wished, and indeed resolved, to act, to be compared with the system which really was carried into execution. The plan of military operations did not proceed from this country, because this country could not be supposed to be so well acquainted with their expediency. It did not proceed from Russia, because the remoteness of that power gave it little advantage in this respect over Great Britain; but the plan of the campaign, in which was employed that immense force (which the official documents on the table would incontrovertibly prove) that, exclusively of any troops that might be furnished by Sweden; exclusively of any troops that might be added by the minor powers dependent on that decision; independently of all these considerations, and highly estimating the armies of Russia and Austria, government had every reason to suppose, that on the first of October the actual force in the field of these two combined powers, if France would not agree to the terms of peace, would amount to five hundred thousand men:—the plan of the campaign on which that force was to act proceeded solely from Austria. It would be for the house to observe that the plan had been entirely laid down by her, and had been acceded to by the other powers. The fact is, that the advance of the Austrian army beyond the Inn, and into a position where 80,000 men, under general Mack, were annihilated, was absolutely a breach of the plan which Austria herself had proposed, and it prevented the Austrians from availing themselves of the presence of the Russians on the Inn. The court of St. Petersburg had strictly conformed to the plan: fifty-six thousand Russians arrived at Brannau, on the Inn, two days sooner than, according to the conditions of that plan, was expected. This he thought it necessary to state, to show how far the disasters that had befallen Austria were produced by her own acts. He must again observe, that if there was any part of their conduct, and more particularly with regard to Russia, the explanation of which would be attended with disclosures injurious to the interests of this country and of Europe, the honourable gentleman would in all probability soon have an opportunity of examining whether their doubts of the propriety of the conduct of this country are founded in fact. For his own part, there was no occurrence that he should more sincerely lament, both on private and on public grounds, than that a transaction of such great importance should, from any change of administration, be buried in darkness; or that the details to which he had alluded, and the policy that was founded on them, should by any circumstances be prevented from being sifted to the bottom. While this country had made great and extraordinary exertions and sacrifices, they ought to know on what account they had been required. In undertaking this discussion he was fully aware of the severe loss

which

which the present ministers had sustained, by being deprived of the assistance of that great character to whom the system was chiefly indebted for existence, and who was therefore the most completely qualified to uphold and defend it. Still, however, he trusted there were individuals remaining capable of explaining the line of conduct which had been adopted, and in what way government had discharged the sacred trust that had been reposed in them. At present, for reasons which he enumerated, he would not fix a day for the discussion, but would content himself with merely moving that those papers do lie on the table. From their nature, it was impossible that they could pass by without discussion. The pecuniary and political stipulations which they contained must subject them to the cognisance of the house. As at that moment he might not be in a situation to exercise a discretionary power on the kind of information which it might be expedient to bring forward, he hoped that while he did not press forward any improper disclosures, those gentlemen who should succeed him in office would be disposed to deal as liberally in affording information, as the present administration had evinced their inclination to do.

Mr. Fox concurred with the noble lord in his opinion that the subject must certainly come before parliament. The noble lord appeared to regret that this subject had not been agitated on the first day of the session. If he meant thereby to impute any blame to his noble friend, he should only say that the amendment, which it was originally his noble friend's intention to bring before the house, was founded on this principle, That, when such capital misfortunes happened to the country, it was the business of the house, on the mere statement of the fact, without any knowledge of the circumstances attending it, before they granted any further supplies, to be well assured that those supplies would be properly administered. His noble friend abandoned his intention from motives which it was unnecessary for him to repeat. Whenever the discussion was brought forward, he would listen with the utmost attention to every thing that could be stated on the subject. As to the noble lord's wish, that any administration which might succeed the present would not withhold any further information, that it might be expedient and at the same time proper to communicate, he could not really say or guess who were the individuals alluded to; but the expediency of granting such information must be regulated by the knowledge of the documents already in possession of the house, and by other circumstances which it was impossible then to specify.

Mr. Grey said, he had listened with considerable attention while the clerk had been reading the titles of these papers, but he had not heard him state any direct treaty between the king of Great Britain and the emperor of Austria. He wished to know from the noble lord whether or not this was an omission.

Lord Castlereagh said, that there were three treaties between Great Britain and Sweden, and one treaty between Great Britain and Russia, to which latter treaty Austria having acceded, it was thereby effectually constituted a treaty between Great Britain and Austria. The treaty with Russia consisted of

fifteen articles, one of which not having been ratified, the remaining fourteen only were binding: of these, nine had been laid on the table, the other five were of a complexion which would render the exposure of them a dereliction of the trust reposed in the administration of this country. He further stated, that the whole combined force, covenanted to be brought into the field, amounted to four hundred and ninety-five thousand men, viz. one hundred and eighty thousand Russians, and three hundred and fifteen thousand Austrians, exclusive of twenty thousand militia in the Tyrol. In an official note received by his majesty's government from the Austrian ambassador at the court of London, in October, it was stated, that the Austrian force actually in the field was two hundred thousand men, and it was expected in the course of the month to carry it up to three hundred thousand.

Lord Castlereagh next called the attention of the house to the glorious victories obtained by lord Nelson and sir Richard Strachan, of both of which he felt himself inadequate to speak in terms in any degree commensurate with their merits. He would preface his address to the house, on this occasion, by a short history of the naval campaign that preceded these brilliant actions. The operations commenced with the sailing of a French squadron from Rochfort to the West Indies, which was immediately followed by admiral Cochrane. This squadron only gave an opportunity to general Prevost of showing how an inferior British force could defend itself from hostile attacks. A squadron of eighteen sail of the line then sailed from Toulon, which was instantly pursued by the immortal Nelson; and although they were considerably superior in number and in strength, they quitted the West Indies without having attained any object of the least importance. And it was impossible for him to forget the gloomy apprehensions that were entertained at that time by some members of that house. There was no disaster which they did not predict as the probable consequence of what they were pleased to term the shameful neglect of his majesty's ministers. But not only were these prophecies falsified by the event, but, owing to the able arrangements made by the noble lord at the head of the admiralty, the country had been enabled to avert the apprehended danger, and heap destruction on the enemy.—No sooner had advice been received from lord Nelson, that the French squadron had left the West Indies on their return to Europe, and that it was his intention to push for the Streights' mouth with the hope of intercepting them, than the admiralty ordered the Brest squadron to suspend the blockade of that port, and the Rochfort squadron to proceed off Cape Finisterre, to reinforce admiral Calder's division. Thus there were three squadrons, by the able management of the admiralty board, placed in situations where they were likely to meet the enemy. This event happened accordingly, and the result was the engagement with the squadron commanded by sir Robert Calder, which terminated in the capture of two sail of the line. Immediately afterwards the French fleet retired to Cadiz, to the amount of thirty-four sail of the line. Not many days elapsed before a British force was stationed in the bay of Cadiz, adequate to the blockade of

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the enemy's fleet; and towards the conclusion of the month of September, lord Nelson, having assumed the command, detached a division of this fleet to the Mediterranean. It is indisputably clear that nothing but the knowledge of this reduction of lord Nelson's force, and the supposition that it amounted only to twenty-one instead of twenty-seven sail, would have induced the combined fleets to come out and offer battle. Their object was to form a junction with the division in Carthagena, and then to have appeared in the Mediterranean with a fleet approaching to fifty sail, which, in the existing circumstances of Europe, they imagined would have excited a sensation exceedingly favourable to their views of ambition and aggrandizement. When he centemplated the glorious engagement which had been the result of this attempt on the part of the French, he felt it difficult to select any feature on which to dwell with peculiar praise. In every view of the subject which even professional men could possibly take, they scarcely could suppose it in the power of one fleet to capture from another not stationary, but under sail, the great number of nineteen ships. It was a new species of success in our naval annals, and went practically far beyond what theorists had conceived it possible to accomplish even in their speculations. The wonders attending this most brilliant action were not confined to the day of combat. He should feel that he had fulfilled but half his duty to the brave men who had shared in the engagement, if he did not assign to them the praise which was their due, for the firmness and perseverance with which, after having contended with the enemy, they proceeded successfully to struggle with the elements. Then was it, too, that the generous spirit of self-devotion to the benefit of their fellow-creatures, those exalted principles which it had been the glory of ancient France to cultivate, and which it has been the endeavour of modern France to extinguish—those feelings which it became every man to exercise, were proudly manifested. Nor was it possible to overlook the great achievements of the division under sir Richard Strachan, in which that gallant admiral took from the enemy every thing that had been presented to him. It was not the least extraordinary circumstance attending these brilliant transactions, that after such a combat with the enemy, and such a contest wish the elements, we had the heartfelt satisfaction to see every ship that had been engaged brought safely back to the British port, and the enemy were thus precluded from those self-congratulations in which they doubtless would have indulged, had a single British vessel fallen a victim to their arms, or even to the fury of the tempests. Every one must feel that the security of the empire, so far as it depends on our naval strength, was placed on a firmer basis than ever. He could not refrain from mentioning that the victory off Trafalgar had happened on a day in which the head of the French empire had been declaring the designs which he meditated against this country; and on that very day he received, in the chastisement of his fleets, a lesson which it was to be hoped he would never forget, and which would teach him what he had to expect from the gallantry and determined bravery of Britons. It was impossible that these exploits should be

performed, and that the country should be satisfied with a silent admiration. He pretended not to do justice to the misfortune in the loss of the noble hero who commanded in chief: in his character there was every thing to praise—his whole life had been a life of heroism. There was something apparently intuitive in his nature, which prompted him to the execution of great schemes which appeared to be out of the resources of his profession. In considering the whole of the victories which had shed a lustre on his name, it would be found that each was marked with traits peculiar and distinguishing. If the house reverted to the battle of Aboukir, they must recollect his daring and successful passing between the French line and the shore. His conduct at Copenhagen evinced equal originality; and indeed his whole life was a series of brilliant achievements, which proved the magnitude and the variety of the resources of his capacious mind. In considering the loss, we must also consider every thing that can afford consolation. It too frequently happened that great souls were enshrined in feeble frames. He contended with the various maladies by which he was assailed with so little success, that the day might possibly have arrived when he might have been placed in opposition to the enemy with dimmished powers. It was therefore some degree of consolation, that the history of his life had been wound up in honour, that his fame was out of the reach of misfortunes. The individual was past gratitude, but the name remained; and he was convinced that the country was desirous that some signal mark of public acknowledgment should be bestowed on it. He did not know whether those with whom he acted would have the power of conferring this acknowledgment, but he was sure, from whomsoever it might be received, it would be accompanied with that liberality which is characteristic of British gratitude. It was proposed to make a provision for his widow, correspondent to the rank which she held in society. The sum in contemplation was an annuity for her ladyship's life of two thousand pounds. This was of course unconnected with the subject of royal intimation, which recommended the affixing some splendid appendages to the present earl. It certainly was not necessary to make for that nobleman such a provision as should remove him from his present sphere of life. It had been thought expedient that this provision should be made, not as a grant to the family, but as national property intrusted to their possession; that it should be invested in land, and that an edifice conformable to their public rank should be built for the family.—With a view to these objects, it was in contemplation to appropriate the sum of two hundred thousand pounds, to be invested in the hands of public trustees, to be applied in the manner which seemed best calculated to obtain the end proposed. It had occurred to government that this would be consistent with the rank which it was desirable that the family of lord Nelson should bear in the country, without going into too exaggerated a scale. Thus the life and achievements of lord Nelson would continue to animate the British navy to the end of time. He trusted that he should not be supposed insensible to the gallant officers under lord Nelson, and of the merits of lord Collingwood, lord Northesk, and sir Richard Strachan:

never

never indeed was there an instance in which every man had done his duty so completely, as in the occurrences then under consideration of the house. He must therefore hope to stand acquitted of having allowed the absorbent merit of one character to induce him to withhold his gratitude from the rest. The noble lord concluded with moving, first, That an humble address be presented to his majesty, praying that he would be graciously pleased to order a monument to be erected in the cathedral church of St. Paul, to the memory of the late ever-to-be-lamented lord viscount Nelson, who had uniformly manifested his skill and enterprise in the service of his country, and who fell gloriously in the moment of victory, in the battle off Trafalgar, on the 21st of October 1805. Carried *nem. con.* Secondly, That the thanks of this house be voted to vice-admiral lord Collingwood, for his able and gallant conduct in the victory off Trafalgar, on the 21st Oct. 1805. Carried *nem. con.* Thirdly, That the thanks of this house be voted to rear-admiral the earl of Northesk, and the captains and officers of the fleet, for their gallant conduct, &c. and that lord Collingwood be requested to communicate the same to them. Carried *nem. con.* —Fourthly, That this house doth highly approve of the conduct of the seamen and marines serving in the above engagement, and that the Speaker do communicate the same to lord Collingwood. Carried *nem. con.* Fifthly, That an humble address be presented to his majesty, praying that he would be graciously pleased to order monuments to be erected in the cathedral church of St. Paul, to the memory of captain Duff and captain Cooke, who fell gloriously, &c. Carried *nem. con.* Sixthly, That the thanks of this house be voted to rear-admiral sir R. Strachan, for his able and gallant conduct in the defeat and capture of the French squadron, on the 4th of November 1805.— When the seventh resolution was proposed, for expressing the approbation which the house felt at the conduct of the seamen and marines of the above squadron,

Mr. Fox said there were two points which seemed to call for comment. The one was, the liberty which the noble lord had taken in introducing into his speech a panegyric on the admiralty board, for which any other time would certainly have been preferable to the present. The other was, on the omission of any mark of his majesty's gratitude to lord Northesk. He believed, that in the whole history of our naval victories we should not meet with a single instance in which, in so large a fleet, the third in command had not received some distinction from the royal favour. The earl of Northesk was the only person whose merit had passed unnoticed.

Lord Castlereagh, after paying some compliments to the first lord of the admiralty, observed, that with regard to the earl of Northesk, though no intimation of that nature had been made to the house, his majesty certainly destined, for that gallant nobleman, a strong mark of his favour; which was, to create him a knight of the Bath.

After some explanations from Mr. Fox, and a few words from Mr. Grey and general Grosvenor, the resolution was put, and carried *nem. con.*

On the 29th of January, after the general routine of business, for which the house had formed

itself into a committee of ways and means,

Mr. Paul rose to make a motion respecting the production of lord Melville's letter relative to the affairs of India. Many persons might, perhaps, be disposed to ask upon what grounds such a young member as he was could enter so particularly into the affairs of India. To such persons his answer was plain and simple. He was conscious of the imminent danger which threatened our Indian possessions, and therefore he was resolved to raise his voice, however feeble, with a view to rouse the attention of the house to this point. The house did not by any means seem to be aware of the alarming state of the affairs of India. His object in moving for this letter, written when the debt of the company was only fourteen millions, was this—he designed on some future day to move for a select committee of the house, to inquire into the causes of the alarming increase of the debt of the company, and of their failure to comply with the conditions and stipulations agreed upon in their charter. This object was one of the last importance. Since the debt of the company had increased from fourteen to thirty millions, in the 13th year from the renewal of their charter, without any of the conditions agreed upon having been performed on their parts, it was high time to inquire into the causes of these singular circumstances. It was for this view that he moved for the letter of lord Melville, which had been written to the court of directors upon this subject in the most earnest manner; and indeed his opinion had been given them in some measure with all the solemnity of a death warning. He would say this of lord Melville, that his plans for the regulation of India were well conceived, and proofs of no ordinary comprehension in him who proposed them. Upon the execution of these, he was of opinion that the very existence of India, as connected with this country, depended, and therefore he hoped that the directors themselves would come forward and promote this inquiry; or, if not, that the board of control, or some individual of that board, would come forward and give every assistance to the measure. If the debt of fourteen millions had appalled lord Melville, what ought to be the vigour and attention employed now when the debt amounted to thirty millions? The directors and the board of control were in some measure bound, under these circumstances, to come forward and give their support to such an inquiry as he proposed. It would, perhaps, be said, that the increase of the debt arose from the wars that had taken place in India; but he pledged himself to show that it was owing to a cause of a very different nature. He was resolved, as far as lay in his power, to fix responsibility where it ought to attach, and this was the great object which he had in view. He concluded with moving, "That there be laid before the house a copy of the letter of the right honourable Henry Dundas, now lord viscount Melville, to the chairman of the East India company, dated the 30th of June, 1801, respecting the debt of the company."

Mr. Wallace had no objection to the production of the letter now called for, though he must say that the honourable gentleman had not acted with fairness when he began with his motion so early, and prefaced it with so many remarks, which

which would have been more properly introduced when those were present who might wish to hear them, and who might be better able, from the situations they held, to meet them in a clear and proper manner. The honourable gentleman had adverted to the cause of the increase of the debt: and he was correct in supposing that the war would be alleged as the great cause of the increase of the Indian debt; and he had no doubt that, when the subject came to be investigated, this would be proved to be the real state of the case.

After a few words by Mr. Paull, in reply, the motion was put and agreed to.

January the 31st.—Lord Stopford appeared at the bar, and stated that his majesty had been waited upon with the addresses of the house relative to the erection of a monument to lord Nelson, at St. Paul's; to the erection of monuments to captain Duffs and Cooke; the interment of the remains of Mr. Pitt, &c. and that his majesty was graciously pleased to express his readiness to comply with the wishes of the house.

Mr. James Fitzgerald rose to move for leave to bring in a bill for the purpose of ascertaining the population of Ireland. It was his wish to assimilate the laws and regulations of Ireland to those of this country as far as it was just and expedient. He observed that Ireland was indebted for a measure of a similar nature to the Speaker; and he was happy to know that the proposition he was about to submit to the house met the approbation of that justly respected personage. It must indeed be obvious to every man conversant with the subject, that to ascertain the population of a country, was the great desideratum in political œconomy; whether considered with regard to its physical force, its agricultural produce, or its financial capacities. In Ireland there were not the same facilities for enumerating the population that were to be found in this country; for in that part of the united kingdom there was no regular registry of births or deaths. Besides, there were no poor laws, through which the overseers, and others employed in the execution of them in England, were easily enabled to discover the amount of the population. To remedy therefore this inconvenience with regard to Ireland, a clause was proposed to be introduced into the bill, authorising the magistrates to appoint such persons, according to necessity, for each barony, parish, or other such district, as might be deemed expedient for the purpose of collecting a list of the inhabitants of such districts; the expense arising from such appointments to be defrayed by the assessment of the grand juries for the several counties, in the same manner as presentments for roads are now provided for.——The motion was agreed to; and the mover was appointed, with Mr. Grattan and others, to bring in the bill.

The secretary at war, after a short speech, submitted to the house the following motions, which were acceded to: That 134,473 effective men, including commissioned and non-commissioned officers, be granted for the service of the united kingdom, and on the continent, for three months, from the 29th of December to the 24th of March both inclusive.—1,193,105*l.* for the subsistence, &c. of this force.—505,037*l.* for the use of our troops, &c. in the plantations, including Gibraltar, the Mediterranean, Ceylon,

lon, and New South Wales: and 647,584*l.* for the militia of the united kingdom, and of the corps of miners in Devon and Cornwall.

February the 1st. Mr. Wallace, adverting to the papers laid before the house some time since, on the motion of Mr. Paull, on which that honourable gentleman had founded statements tending to censure the conduct of the government of India, and particularly the conduct of the noble marquis lately at the head of that government, relative to the nabob of Oude, rose to move for other papers connected with this subject, and necessary to a full and fair view of the whole transactions. He had no doubt that the result of the examination of all the documents would have the effect of doing away the charges, and of explaining the conduct of the marquis. He concluded with moving certain papers, which were ordered.—Upon the complaint of Mr. Paull, that many of the papers relative to this subject, ordered on his motion seven months since, were not yet before the house, Mr. Wallace said it was under the serious consideration of the board of control, to whose direction this important charge had been committed, what part of the papers moved for by the honourable gentleman could be produced without public mischief. He assured the honourable gentleman at the same time, that it was the wish of the board to give every possible information consistent with the trust reposed in them.

Lord Castlereagh appeared at the bar, with certain messages from his majesty, the first of which was as follows:—

"George R.

"His majesty having taken into his royal consideration the splendid actions and heroic achievements of the late vice-admiral lord viscount Nelson, knight of the bath, during a life spent in the service of his country, and terminated by a glorious death in the moment of victory; and being desirous of granting to his widow, lady viscountess Nelson, an annuity of 2000*l.* for the term of her natural life; recommends to his faithful commons to consider the best mode of securing the same for the benefit of the said lady."

He then delivered another message relating to lord Collingwood, recommending to the house to settle on him and his two next heirs an annuity of 2000*l.* After which he delivered a third message, recommending to the house to grant an annuity of 1000*l.* to sir Richard Strachan for the term of his natural life. His lordship then moved that the house should on Monday resolve itself into a committee, to take into consideration his majesty's most gracious messages; which was ordered accordingly.

February the 3d.—Lord Castlereagh rose to make a motion, of which he had given previous notice, for a monument to be erected to the memory of the marquis Cornwallis. He was aware, he said, of the circumspection that ought to be exercised by the house with respect to motions of this sort. He was the last man who would propose any thing of the kind, except in a case where his duty and the merit of the object clearly and indispensably called for it. He was satisfied, as a general principle, that it was proper to confer honours for some specific service rather than for any general merit, especially if the merit consisted in political services, concerning which there might be differences of opinion. This, however, was a rule not to be

be adopted in every case under all circumstances. There were cases when the general course of life of individuals, devoted to the public service, had been so highly distinguished, that the gratitude of the country ought to be recorded for the advantage of posterity. If ever there was a case when this course might be safely pursued, the present one certainly came under that description; for there was something in the general course of proceeding of the noble marquis, which disarmed party spirit, and deprived it of its bitterness, as far as he was concerned. All parties, therefore, would certainly be ready to bear testimony to the purity of his motives, the integrity of his conduct, and the unwearied zeal of his services. Though the talents and actions of the noble marquis had not been altogether so splendid and brilliant as those of some other persons, yet no man could maintain that any individual was connected with a greater number of acts of the first importance, both civil and military, than he had been, in all of which he had performed his duty with applause. His course of life as a soldier, and his character in the profession, would justify this motion, independently of his merits in a civil capacity. But he had performed inestimable services in affairs not particularly connected with his profession as a soldier: with respect to his character as a soldier, there could not be two opinions; no man had ever conducted war upon a more large and liberal plan, and none ever performed the particular duties of it with more zeal and firmness:—no prosperity ever made him lose sight of his moderation, his generosity, and prudence; and none of his misfortunes ever lowered his reputation. He certainly experienced some of the disappointments incidental to a military career; his reputation, however, rose even on those very disappointments; nor could any rational man deny his merits in a political point of view, at least none who understood the subject. He had first carried to India the principle of fixed property, a thing so necessary and so well calculated to promote the prosperity and happiness of the natives. He had also first carried to India the principle of the proper administration of justice, upon the plan of the British laws and the constitution. These services, if they had constituted the whole of his merits, would have established his fame on a firm and lasting basis; but there were other features in his character, other services which he had performed, which in his opinion constituted an additional claim to these honours, though on these points there might be some difference of sentiment. The great transaction which led to the close of the useful life of this nobleman, formed another ground of claim to the honour which he was about to propose. After the close of that administration in India which had performed so many brilliant exploits, and raised the British name there to such a height of glory, when it was thought fit to send out this great man, to consolidate and establish what the British arms had conquered; no consideration of convenience, of health, or of ease to himself, had weighed with marquis Cornwallis. He undertook the service, perfectly aware of the danger, and in three months from the period of his arrival in India he fell a victim to his patriotism; but retaining the possession of his faculties to the last, he employed every moment

ment in the performance of his duty; and, though his life was cut short by the hand of Providence, yet while he lived he had laid the foundations of a plan, which, if executed by his successor, would be attended with the most solid advantages. On a subject where the claim was less clear, he ought to be the last person to call for these honours to this nobleman, as he might be partial on account of the friendship which had subsisted between them: while, however, he asked this consolation for himself, he was aware that there might be feelings of public duty that would weigh strongly with others perfectly distinct from any personal considerations. At the moment in which he was speaking, however distinguished for great public calamity, three persons had been withdrawn from the service of their country, whose talents could not be easily equalled, and whose loss could not be readily supplied. Parliament and the country were sensible of the loss, and he would now claim funeral honours for marquis Cornwallis. He concluded by moving, That an humble address be presented to his majesty, humbly entreating that his majesty would be graciously pleased to give directions, that a monument should be erected in the cathedral church of St. Paul, to the marquis Cornwallis, late governor-general of Bengal, in memorial of his high and unblemished public character, his long and eminent services, and his unwearied zeal, which to the latest moments of his life was employed in promoting the interest and honour of this country.

Mr. Charles Grant seconded the motion. He mentioned something of the leading features in the character of the noble marquis, and some of his most remarkable services; he dwelt upon the happy effects which the introduction of the principles of fixed property and of the British laws had produced on the people in India, in securing them from oppression, and which he hoped would be attended with the happiest result, with respect to the property of the natives and the East India company.

Mr. Francis said, "I believe this motion is as much in unison with the judgment and feelings of every man in this house and in the nation, as it is with mine. I have many motives for wishing to take some part in it. I find now, though it had not occurred to me before, that I am personally indebted to the memory of the noble lord whom we have lost. It is said, and, I doubt not, truly, that lord Cornwallis made it his first care to protect the people whom fortune or providence has placed under our dominion. Let our right be what it may, I am sure there is no other way to make the possession either profitable or secure. On this principle, lord Cornwallis gave to the natives of Bengal a security in their landed property. This is the plan which I proposed in 1776, and which lord Cornwallis has done me the honour to adopt and execute. I am bound to be grateful to his memory for the honour he has done me. I well know that his lordship's merits in India are not only eminent but indisputable. Sir, an occupation of thirty years at home and abroad in India, has given me a claim to an interest in any question that concerns it. He who has served that country as lord Cornwallis has done, is entitled on that score to all the return I can make him. To do him honour, is not in my power. But it is honourable to myself to contribute, if I can, to the only reward that

that can now be given him. But I am specially bound to it by another tie. Every gentleman in this house cannot know as well as I do, what his merit was in undertaking to go to India at so advanced a period of his life. He could not be insensible of the probability there was that he might never return to England. He saw his danger, and he encountered it without hesitation for the public good. It was a danger too, which, though far beyond that of a battle, had no prospect of military fame to recommend it. The merits and honour of lord Cornwallis are not within the reach of diminution; but his fortune has not been equal to his deserts. It has not been his lot to die where his gallant mind would have led him, in the front of a glorious contest with the enemies of his country, at the head of a successful army, and in the arms of victory. It is certain, that he who risked his life for a most meritorious purpose, but without the hope of fame, would gladly have resigned it, on the same principle, in any other field in which honour might have been obtained. That good fortune has been denied him. It is our duty then to repair and fill up what is wanting in the measure due to his well-earned character. Let the gratitude of his country accompany his name in its descent to the latest posterity. The measure proposed is all we can do, and I am proud in having some share in it."

Mr. Wilberforce was desirous that the noble marquis should meet with gratitude from all quarters. Distant provinces would be found, on a perusal of the history of mankind, to have been the peculiar scenes of oppression, extortions, and cruelty. The marquis Cornwallis had not only refrained from any thing like this, but had introduced the blessings of the British constitution into our Asiatic dominions. He hoped these would spread over every quarter connected with Britain. The noble marquis had, in some degree, a craving to be doing good to his country, and was never at rest except when thus employed; and we had only to regret that the strength of his body was not equal to the greatness of his soul. He expressed his cordial assent to the motion.

Mr. Windham and Mr. Huddleston supported the motion; the former on the ground of his having encountered the greatest dangers, and almost certain death, in undertaking the enterprise which was last confided to him—and the latter, in consideration of the benevolence of the noble marquis to the natives of India, his generosity to Tippoo Sultan, and his many eminent virtues.

Mr. O'Hara opposed the motion on the grounds of his objection to the union with Ireland, and to the peace of Amiens, in both of which marquis Cornwallis had so great a concern. A scandalous use had been made of the king's prerogative, and other objectionable means had been resorted to, to bring about the union, under the influence of the marquis.

Mr. Fox agreed to the motion; but in doing so he did not pledge himself to approve every particular act of the noble marquis, but he gave it merely on the general merits of that nobleman. He agreed to the motion with more satisfaction, on account of the way in which it was worded; it said nothing about the marquis being an "excellent statesman." He thought he might give his assent to the motion, though

though he was much of the same opinion, respecting the union, as his friend (O'Hara) behind him. He was convinced that it was a measure the most disgraceful to the government of this country that ever was carried or proposed.—The question was then put, and carried without a division.

Mr. Cartwright next rose, for the purpose of making his promised motion. He intended to follow the example that had been set him by the honourable member who moved a recent resolution of the house. In that case, the precedent afforded in the case of the late lord Chatham had been followed, and the same method he now intended to adopt. He considered the eminent services of the late chancellor of the exchequer to be great beyond example, and his death to be no trifling aggravation of the present difficulties of the country. The high character of that right honourable gentleman, as a statesman and minister, he should ever respect and venerate. If he could think that the vote he was that night to propose, could in the least diminish his fame, he should be the last person to propose it; but he had yet to learn that lord Chatham's fame had received any diminution from a parliamentary vote to the same effect. When he recollected the services of the late chancellor of the exchequer, and the perfect devotion of his time to the business of his country; when he recollected that for ten years' administration, he received nothing but the mere income of his two offices, and that he took nothing in addition, except the situation of warden of the cinque ports, which was forced unwillingly upon him;—he saw a proof of his integrity and honour, and a worthy theme of his public admiration. For his individual purity, in regard to all pecuniary transactions, he might refer to what came before the house respecting the inquiries of the parliamentary committee, in which the character of that great man was placed in its proper light, and where he is found rising superior to every imputation and suspicion, and only exciting admiration at the guarded conduct he maintained in every transaction of life. He had a mind——

> ——————et secundis
> Temporibus dubiisque rectus;
> Vindex avaræ fraudis, et abstinens
> Ducentis ad se cuncta, pecuniæ.

He asked for the vote of the house on this occasion for no common services. He asked for him, who had dedicated his whole life to the public advantage; who had struggled through the most difficult periods of our modern history with success; and who, by his efforts, had confirmed the stability and security of every thing we possessed. In the department of the public finances, he had done more than any minister that had preceded him; and notwithstanding every disadvantage, our finances had risen to a height unexampled in our annals. He had preserved to the last moment the confidence and good opinion of the public. What he asked, was nothing more, in discharging the debts of Mr. Pitt, than the discharge of a debt of public gratitude. He found, from the best inquiries, that the sum of 40,000*l.* was sufficient for the purpose. He concluded by moving, That the house, being willing to show every mark of respect and esteem for the memory of Mr. Pitt, should humbly address his majesty to issue the sum of 40,000*l.* for the purpose of discharging his debts,

debts, and to assure his majesty that the house would take care to make good the same.

Mr. Bootle seconded the motion. He considered it as the last opportunity the house would have of showing its respect to the illustrious character, who was so much entitled to the gratitude and veneration of the country; and he was sure that the house would go with him in paying a just testimony to worth so great, talents so transcendent, and services so extraordinary. The debts that were to be discharged, were contracted while the great man, who was now no more, was in the public service, and wholly devoted to his official duties: it was therefore the duty of the country to discharge them; the more so, as the illustrious person, as soon as he retired from office, adopted a system of retrenchment, in order that he might reduce them by his œconomy. He would not be the advocate for extravagance: he challenged any man to say, on looking over the list of his debts, that any one of them could be considered as an extravagance. He trusted, that as no ground on which the motion was founded could be denied, and as these grounds were amply sufficient to warrant the motion, the vote would be unanimous. He was the more supported in this hope, as there was no point of political dissension comprehended in this motion. He trusted that the vote would meet with the same unanimous concurrence as that passed on account of the late lord Chatham. It was right that parliament should be jealous in cases like this, but that jealousy should not stand in the way of the just claims of distinguished merit. He trusted that no ground for difference of opinion would be found, and that therefore the vote would be unanimous.

Mr. Windham would give his vote of assent this night, with as much satisfaction as he felt on the former night at being compelled to vote in the negative. He looked upon this vote as a homage to great and transcendent talents, and a mark of gratitude for long services. In all that had been said of the great personal qualities of the deceased, and of the honour he reflected on the house and country, he coincided. Such had been his opinion always, such it was now, and he was happy to bring it in testimony on this and a recent occasion. This motion was nothing that he could object to; there was nothing in it that called for approbation of a general political system, from persons who could not concur in that approbation without contradicting and falsifying their former opinions. No one imputed to the deceased any low principle, and least of all any principle of low pecuniary interest. His high mind was above such mean considerations, and his grand conceptions soared far beyond such grovelling ideas. He thought it necessary to touch a little here on the consequences resulting from this vote. It had been well observed, that this could not be invariable, and that it should not be so even if the merits were acknowledged; for, if the debts had been contracted from extravagance and wild profusion, or pompous ostentation, then it would be a question whether, however great their merits, they should be paid with public money. But here there was no lavish expenditure, no idle ostentation. The character of the man precluded all that. The conscious value his own great mind inspired, created a dis-

regard

regard for exterior grandeur, which led into the vice of the times, and restrained him rather too much from gratifying the public eye. Those who knew him in private life, know well that no man was more superior to all idle affectation. The debts were contracted, because the income he derived from the public was not sufficient to allow the indulgences his situation required, without contracting debts. The duties of his high offices necessarily took away his attention from domestic œconomy, and great impositions were always practised on persons so circumstanced. His talents had been diverted from those pursuits by which he might have acquired wealth, by the higher duties annexed to the great offices he held. He would not violate his duty from any affectation of magnanimity, by being generous at the expense of the country. But in supporting this mark of respect to the memory of a long and meritorious service, he wished a similar liberality were extended to those who were nearest and dearest to him.—Mr. Ponsonby, lord Folkstone, and admiral Hervey, spoke on the same side of the question.

Mr. William Smith said, that he felt himself bound in duty to the public, and in consistency with the part he had already taken, to withhold his support from the present motion. That the payment of Mr. Pitt's debts was due from the country in pure justice, could in his opinion be maintained only on the ground, that his salaries had been inadequate to the fair expenses of the situation he held: this he doubted, and was very averse from allowing, without something like proof, as from thence it must follow that the emoluments of office ought to be increased; and although the advantage of such increase might probably fall to an administration possessing his confidence more than the right honourable gentleman had done, yet, at a time like the present, he could not but deprecate any addition to the burthens of the country for such purposes. The obligation on the score of gratitude was a different question, and depended wholly on the judgment formed of the advantages which had been derived from the services of the great man deceased. And the language which some gentlemen had used, was such as absolutely to preclude him from giving a silent vote. They had given an unqualified approval of the honourable gentleman's system:—they had adverted to particular measures as of especial merit:—they had praised him without bounds as the saviour of his country:—they then praised themselves for their moderation and forbearance in not going further; and, in conclusion, somewhat boldly demanded the unanimous concurrence of those who had uniformly censured his general system, and opposed, as mischievous or unjust, almost every object of applause. Was this to be acquiesced in? Did it not afford a strong presumption that these gentlemen were desirous of giving a covert sanction to their own conduct; and, in thus holding out Mr. Pitt as deserving the unlimited gratitude of his fellow-subjects, were putting in their own claim to no inconsiderable share of it; and endeavouring not merely to fix a stigma on their old and constant opponents, but even to make them parties to their own disgrace? To this he would not submit. He continued to hold his long settled opinions on these points: and of that particular period at which Mr. Pitt was said to have saved

saved his country from anarchy, he thought that it was marked with greater inroads on the constitutional liberties of the subject than had been committed at any other time since the revolution; and that an unjust clamour had been then raised for the express purpose of throwing obloquy on men, than whom, in his opinion, more honourable, or more attached to the interests of the nation, did not exist. Nor would he consent, by a silent vote, to libel for ever, and on record, their character and conduct as well as his own. He willingly admitted that Mr. Pitt was perfectly disinterested:—that he was far above all pecuniary considerations:—that he disdained praise on that account:—that far from thanking his officious friends for such an eulogium, his lofty spirit would have spurned at the idea, that the not having descended to unworthy means of acquiring wealth should be imputed to him as merit—that his performance of common duties, or abstinence from degrading practices, should have been represented as exertions of heroic virtue. He thought it would have been more honourable to the friends of the deceased to have taken upon themselves the discharge of his debts: as an individual, he would himself have readily contributed; but as he did not apprehend that the country at large were desirous of incurring the burthen, he would not seek the reputation of liberality in the dubious road of granting away the property of others, nor join in imposing on his constituents a charge which, as he verily believed, no sense, on their part, of obligation to the deceased would induce them cheerfully to sustain.

Mr. Rose thought it but a justice due from the country, that it should pay debts evidently contracted in consequence of the engagements of the man in the business of the country; and so appeared, on the face of them, the result of the official situation his right honourable friend held. He owned that at a meeting of the creditors of his friend he had recommended that the money should be raised by subscription among his friends, rather than that an application should be made to parliament. He believed the money might have been raised by such a subscription; but it was thought that justice to the memory of his right honourable friend indispensably required the present mode of proceeding.

Mr. Manning had no doubt the money might have been raised by subscription, but he was convinced a great majority of the house and the country wished the debts to be paid from the public purse. He believed Mr. Pitt, in the hands of Providence, the instrument of saving the country. The expenses of the high offices which he held much exceeded the salary. On his suggestion, Mr. Pitt had adopted the plan of voluntary contributions, by which 2,000,000*l.* had been raised, and 100,000*l.* of annual taxes saved to the country.

Mr. Cuming, Mr. Ellison, and the marquis of Douglas all spoke in defence of the motion.

Mr. Fox never felt more satisfaction than in giving his support to this testimony of the consideration of a great and rich nation for the merits of an eminent servant. The mode of introducing it, left him no difficulty in giving it the support he wished. He rose in consequence of some observations that had fallen

from some gentlemen most earnest in support of the motion. Among other expressions he had heard that of Saviour. With respect to this, he must say that he retained all his former opinions; or, if any change had taken place in them, it was in consequence of the situation of the country in the years 1803 and 1804, which rendered it essential to the public interest and public safety, that the differences of former times, and the animosities they had given rise to, should be buried in oblivion. When the right honourable gentleman, now no more, proposed that he should have a large share in the administration, it would have been in the highest degree indelicate in him to agitate these questions. Mr. Pitt felt the same kind of delicacy. He had borne ample testimony of his wish to bury these differences in oblivion. He hoped the house would do him the justice to think, that as he was unwilling to touch upon these topics while Mr. Pitt was living, he was doubly unwilling to touch on them, at least so much as related to Mr. Pitt personally, now that he was no more. He was not now going to touch upon them, nor would he ever; but he begged to be understood not to be influenced by any regard to himself, when he resolved to abstain so religiously from these topics. He knew not whether Mr. Pitt thought in the same way of him, but he always thought with respect to Mr. Pitt, that he should form a distinguished part of any administration framed with a view to the advantage of the country, and on this ground he wished discord to cease. He had not had a distinct opportunity of showing his sense of that wish; Mr. Pitt had, and he had expressed it distinctly. If these old causes of dissension were revived, it would be impossible to come to an unanimous vote. He did think that one of the objections made by his honourable friend (Mr. W. Smith) was overstrained. To speak of Mr. Pitt as disinterested in not touching the public money, was certainly an insult; but to abstain from making many advantages from his office which he fairly might;—to have been in office twenty years, and in that time to have had no place of profit but the cinque ports; was disinterestedness of the most eminent nature. It was a disinterestedness not to be paralleled in any minister within his memory—he believed not in any since the accession of the house of Brunswick. This it was that he wished to reward. He had no fear that the example would have any pernicious effect.

Mr. Canning hoped that, in the little he had to say on this subject, he should not deviate from the candour and moderation so laudably professed on the other side, but used, at the same time, as a veil to throw over one or two propositions in which he did not agree. Some of the gentlemen were willing to allow parliament to discharge the debts of his late friend as a matter of generosity towards an old public servant. He wished it to be known, however, that the friends of that illustrious person would not be satisfied to receive the vote as an eleemosynary grant to posthumous necessities;—not as a boon of pity, or compassion;—but as a public debt to a highly meritorious public servant. He did not from the beginning expect an unanimous vote; he would not purchase unanimity by conceding

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a tittle of the services of that illustrious man. He appealed to the house, Whether it was not on the other side that the topics of dissension were started? Objections were made to the form of the former motion. The fault he found with it was, that it was cold, and inadequate to the feelings of those who supported it. When the friends of this great man consented to neutralize the expressions of their feelings, for the purpose of removing the grounds of opposition to the motion; when they resolved, instead of dipping the pen into the heart, to look into the statute-book for a precedent; when they had lowered and diluted every glowing feeling; when they had restrained and chastised the warmth of their affections, in order to constitute unanimity;—the result had added to the many proofs he had seen in the course of his political life, that nothing was to be gained by compromise. Now the honourable gentlemen canvassed particular acts, and thus agitated topics, which were omitted to avoid creating discussion. [Here Mr. Canning was called to order by Mr. Wynne, for reverting to former debates.] He said he had no desire to go further back than to show that the agitation of the objects of dissension originated on the other side. It was expected that this question would have been generally supported; that all political differences would have ceased, and that all animosities would have been buried. That brilliant luminary that was before us, whether its dawn was clouded, or its meridian splendour obscured, had held a glorious course for the country, and worthy to call forth its admiration and gratitude. He protested against the mode in which the honourable gentlemen gave their support to the motion, and wished to restore to them the benefit of that consistency which they laboured so much to reconcile with the support they gave. He gave credit to him who refused his consent because he did not see merit, but he could not see the ground on which those opposite followed a distinct course. If the sum were given as an eleemosynary grant, without any distinction of merit or demerit, he disdained it. Those who did not vote for it on the ground of Mr. Pitt's merits, had better oppose it openly. It was only as a tribute to great merits that he would receive it; and if any one supported it on any other ground than as a testimony and a reward for those merits, he wished him to withdraw his support, and preserve his consistency by opposing it.

After a few words from Mr. Fox, by way of explanation, the motion was agreed to.

Mr. Fox, when this business was disposed of, gave notice of a motion which he should make on the next day, "For leave to bring in a bill to remove certain doubts of the propriety of a lord commissioner of the treasury holding at the same time the office of auditor of the exchequer." The discussion of this motion we shall refer to a succeeding chapter.

CHAPTER II.

Continental Treaties—Debate in the House of Commons on a Bill to enable the Auditor of the Exchequer to be a Commissioner of the Treasury—On a Bill to indemnify certain Persons giving Evidence on Lord Melville's Trial—Debate in the House of Lords on the same Bill—Committee appointed to search for Precedents—Opinions of the Judges—Judges called on to deliver their Opinions seriatim*—Bill brought forward by Earl Stanhope for the Discovery of Truth—Witnesses, declaratory Bill in the Lords and Commons—Motion in the House of Lords respecting Lord Ellenborough's Seat in the Cabinet—The same Subject discussed in the House of Commons.*

THE treaties which were laid before parliament, explaining the original plans of the combined powers, concerning which the late administration thought proper to make some observations before they resigned, will be found in another part of the volume. It will be sufficient, therefore, to observe here, that by these treaties the high contracting powers pledged themselves not to make peace with the common enemy, but with the consent of all the powers engaged in the league; whereas Austria, as we have seen, was under the necessity of accepting a peace dictated by the conqueror. It was agreed that Hanover should be evacuated; and that the independence of the republics of Holland and Switzerland should be established. These, and many other projects equally important, the allied powers had promised to effect; and it was left to Lord Mulgrave to announce officially the complete failure of them all, as will be seen in the subsequent pages. We have also given in this chapter a pretty full account of the discussions in parliament on certain very interesting constitutional questions, as the title will show. To some of our readers, it may be thought that we have, in this instance, occupied too much space: the decisions of parliament have, however, both in the case of lord Grenville and in that of lord Ellenborough, been liable to strong objections, and have sanctioned regulations that will hereafter be referred to as precedents for future ministers, and on that account it was deemed right to state the arguments for and against these proceedings at large.

We shall now proceed with lord Mulgrave's observations, in the house of Lords, February 4th, on the *supplements to the treaties*, which, the noble lord said, were illustrative of the spirit and the objects with and for which the treaties themselves had been negotiated and concluded. The substance of these treaties he noticed, with some observations on the situation of Austria previously to her determination to have recourse to arms. He maintained, that after the encroachments made by the French government in Italy there was no other alternative but war; which being resolved on, the emperor of Germany was countenanced and supported by Russia and this country. The spirit, zeal, and activity, said his lordship, with which the resolution was carried into

into effect, claimed the praise of the most indifferent, though the catastrophe with which such exertions were terminated must excite the regret of every feeling mind. No nation had more reason to regret it than England; yet to the ministers of this country no blame or censure whatever was imputable. Every thing that wisdom could suggest, that comprehension could embrace, that foresight could provide for, or prudence regulate, had been prepared and collected by this country in conjunction with the powers that had espoused the same cause. It was not mere paper statements of the great force to be employed for the attainment of that end; but before the 1st of October, the day on which the first instalment was made, a substantial and accurate account was given of the real and efficient force which was then in the field, and which amounted in Austrians to 314,000 men, and Russians to 180,000: the latter had arrived at their appointed stations at least two days previously to the time stipulated; and from their position and readiness to act the happiest expectations might have been indulged. No calculations could have supposed that the enemy would have been in readiness to commence hostile operations before the whole force had arrived at its due destination; nor could the enemy, in effect, have had an opportunity of trying their fortune or their strength, if the plans adopted and agreed upon by the other coalesced powers had been minutely adhered to. From an attentive perusal of the documents, which he should now submit to their lordships, it would, he said, be abundantly manifest, that it was from no deficiency of wisdom, of foresight, and of circumspection in the plan of operations, that it had failed, but from a strange and unfortunate deviation from the system which had been generally proposed and mutually agreed upon. With the misfortunes that have followed that deviation every one was acquainted. They were great and disastrous to an extent beyond the surmise of human sagacity, and they have led to consequences equally distressful and humiliating. But the conduct of Austria, and of her unfortunate sovereign under such circumstances, said his lordship, are not to be lightly considered. The dilemma to which he was reduced was trying in the extreme; and the minds of Englishmen would withhold any opinion which did not rest as fairly upon the spirit and the determination evinced by the emperor, and by the dangers and sacrifices he has exposed himself to, as upon the calamitous issue in which were exhausted so many efforts and so many lives. In bringing forward these additional documents, it was the object of the noble lord to ground upon them a confirmation, that nothing of the calamities and disasters that had befallen the South of Europe was imputable to the councils of this country. There were more withheld that would place the assertion in a clearer and more convincing point of view, and they were withheld solely from motives of delicacy and consideration for the situation of other powers. All the documents to which he alluded would soon be placed in other hands; and it would be with the judgment and good sense of his successors to make public more of them, or to approve the motives that on his part had suspended their publica-

tion. After avowing the rectitude of his own conduct, and paying the highest compliments to the talents of Mr. Pitt, whose influence pervaded and directed all those transactions, Lord Mulgrave concluded with moving "That the several documents, which he held in his hands, be laid on the table, in fuller illustration and proof of every thing he had advanced, and as furnishing proper grounds for the discussion of that great question which might hereafter be brought before their lordships."

In the house of commons, Mr. Fox moved for leave to bring in a bill to enable a person holding the office of auditor of the exchequer to hold also the office of a commissioner of the treasury. The object of this bill was to legalize the holding these two appointments, by enabling the auditor to appoint a deputy for discharging the duties of that office. He had stated before, when he gave notice of this motion, that he entertained no doubt himself on the subject; yet, as others might, it was the wish of the noble lord concerned, that nothing should be withheld from the house connected with the transaction in question. As the idea had gone abroad that the auditor of the exchequer was a check upon the lords of the treasury, he should advert to that circumstance. The fact was, that he was no check upon them, and it was absurd to suppose that any officer whose appointment was in the gift of the lords of the treasury could be any check upon them. He hoped, therefore, that no difficulty would be felt in complying with this measure. Nobody, Mr. Fox, thought, would be of opinion that the office should be given up by the noble lord which it was intended he should fill, and on that account he trusted that no objection would be felt to the bill. In the reign of George I., lord Halifax gave the auditorship nominally to his brother, while he virtually continued in the enjoyment of it himself. The noble lord might, in the present instance, act upon that precedent, but he was better pleased that the transaction should wholly rest on legislative grounds. He therefore should beg leave to bring in the bill. On the motion being put,

Mr. Rose said he was of opinion that no doubt could be entertained on the subject, and he was certain that he could convince the house that the two offices were incompatible. By the act of King William, which regulated the course of the exchequer, the office of auditor was rendered a distinct office, and the two had not been held since by any person. This act directed, that no money should be issued from the exchequer without the order of the auditor, signed by the clerk of the pells. As to the circumstance of the appointment of the auditor by the commissioners, and his being, therefore, no check upon them, he had only to observe, that an order from the commissioners for the issue of money from the exchequer would be null and void without the signature of the auditor. The course of the exchequer he took to be this—When the house voted a certain sum of money for a certain service, suppose a million; if the commissioners issued an order for more than that million, the auditor, to whom the votes of that house were sent, would not sign it, and would therefore be an efficient check upon the commissioners of the treasury. Instances of this kind he had himself known. There was another provision in the act, which

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was, that the auditor should prepare and draw the orders by the directions of the commissioners of the treasury. Every gentleman must see the incongruity of the same person giving and receiving these directions in virtue of his different offices. The case of lord Halifax did not apply; he did not hold the office of auditor till he had resigned his former offices. If a deputy were to be appointed, it would be for the house to consider how far he could be a check upon the commissioners. Another case had been referred to on a former day, viz. that of Mr. Pelham; but though he had been appointed first lord of the treasury in 1743, the auditorship of the exchequer did not become vacant till 1751, when it was given to his son-in-law, whether in trust, or in fact, he was incompetent to say. The cases were therefore different, and this bill could not pass without altering the whole course of the exchequer.

Mr. C. W. Wynne denied that the auditor was intended as a check upon the commissioners of the treasury: he read from the statute-book a paragraph, which, he contended, proved that the office of auditor was designed to be a check upon the issue of money voted for one service to the use of another, and not as a check upon the commissioners. He saw no reason why a deputy might not be appointed: no evil could arise from the appointment of a deputy, that would not equally arise from the appointment of the original. There had indeed at former periods been a practical objection to the appointment of the same person to both offices, which did not at present exist; the auditor of the exchequer had a percentage on the money issued, he had now a fixed salary.

The attorney general was desirous of removing any of the difficulties that might be felt with respect to this measure; for of all the new appointments, no one afforded him more satisfaction than that of the noble lord to the one which he was to fill; he hoped that no obstacle would oblige him to accept any other in place of it. He was desirous that the bill should pass through every stage that day, consistent with the forms of the house, in order that gentlemen might come down the next day prepared to decide upon it. The auditor did appear to him, on the testimony of his right honourable friend, a practical check upon the commissioners; and it would be for the house to consider how far a deputy, appointed by, and removable at, the pleasure of one of those commissioners, would be such a check. He thought it would be more proper to appoint a trustee to hold the office, under a responsibility for the performance of its duties.

Mr. Fox did not object to the appointment of a trustee, and Mr. Rose said that this amendment would do away his objections to the measure. The bill was accordingly brought up, and read a first and second time, and ordered to be committed on the next day. It was at length passed in both houses, under the title of A bill for empowering the auditor of the exchequer to nominate a trustee to execute the duties of the office, &c.

From the 4th of Feb. to the 10th, the business in both houses was not of sufficient importance to be recorded in this brief historical sketch; it related to matters of form, and to the issuing of writs for members in the place of those who had accepted of places of profit in the new administration.

On the 10th, Mr. Whitbread moved for leave to bring in a bill to indemnify all such persons, as should be required to give evidence on the impeachment of lord Melville, and who had served under him in the navy office. The reason that induced him to bring forward this motion was, that several lawyers had given it as their opinion, that questions which Mr. Trotter would be required to answer, might, if answered, expose him to the dangers of a prosecution. To obviate this difficulty, a bill had been brought in to indemnify persons in that situation from the consequences of a criminal prosecution. At the instance of sir William Elford it was intended to extend to civil as well as criminal prosecutions. The lords, however, struck out the part that related to civil suits, and the bill itself was finally rejected in the commons. Another had been adopted as far as related to criminal prosecutions. The judges had been consulted, but had not given their opinion; it was however of great importance to the ends of public justice that the sentiments of the judges should be known before they proceeded on the circuit; which was the more requisite, as it was certain that the evidence of Trotter was indispensably necessary. He, therefore, after some other remarks, moved to bring in a bill that should indemnify persons in the situation of Trotter from the consequences of any civil suits, to which they might otherwise be liable. The motion was seconded by sir William Elford; when leave was given to bring in the bill, which was carried through all its stages in the house of commons, and on the 12th was presented to the lords.

In the house of peers on the 13th, lord Holland moved that the "impeachment witnesses, indemnity bill" should be read a second time on the Monday following.

Lord Hawkesbury did not mean to oppose the motion, but wished to call the attention of the house to the bill which had already been before the house, and which went to indemnify persons giving evidence on the impeachment of lord Melville, both from criminal and civil suits. With respect to the civil indemnity, certain questions had been referred to the judges, with a view of ascertaining whether persons were legally justified in refusing to answer questions, the result of which might subject them to a civil suit. The judges not having answered the questions, he suggested whether it would not be advisable now to refer similar questions, for the opinions of that learned body, before they proceeded to the bill.

After some observations from lord Holland, on the necessity of having the opinions of the judges as speedily as possible, it was agreed that they should be ordered to attend on Monday. On that day they were all present, when

Lord Eldon called the attention of the house to the bill, which he considered as an *ex post-facto* law: he then proposed that certain questions be put to the judges. He could not help observing, that the principle of the bill attempted to be established, claimed the most serious consideration of their lordships, lest it might bring down upon them the reproaches of posterity. The bill expressed doubts as to the liability of a witness to answer a question which might involve him in a civil suit. It was the first time that he had heard there was any doubt upon the subject, although he was aware that there was high legal authority

authority against him. He wished, however, their lordships to be fully aware of the nature of the bill, which went, as it might happen, to give persons sums of money (for it was the same thing, whether the money was actually given, or whether they were freed from any process for a sum claimed by the public,) for giving evidence at their lordships' bar; and not only were such persons, on that account, discharged from any process on account of debts due to the crown, but from any process on account of debts due by them to individuals. He saw so many objections to the bill, that he could not help recurring to the speech of lord Hardwicke upon a bill of a similar nature, which was before the house in the year 1742, when that great man concluded by observing, "that he would much rather be the object of the bill than the author of it." His lordship concluded by moving to refer to the judges three questions, the object of which was to ascertain, Whether, according to law, a witness had a right to demur to the answering any question, relevant to the subject under investigation, the answer to which might tend to acknowledge a debt recoverable by a civil process? or which might render him liable to civil process generally? or which might render him liable to a civil process at the suit of the crown, for the profits of any public money converted to his own use?

Lord Holland denied that there was any provision in the bill which would authorise the construction, that a witness giving evidence under the sanction of its provisions would be thereby exonerated on account of debts due from such witness to private individuals.

The judges, being applied to, requested till Thursday se'nnight to consider of the questions; which was, after some observations from the lord chancellor Erskine, agreed to. In the mean time

Lord Eldon, on the 24th, moved for the appointment of a committee to search for precedents of bills similar to that in question. The more he considered that bill, the more it appeared to him unconstitutional and unsafe; it went to give a degree of power to the other house of parliament that might prove dangerous to the liberties of the people, and repugnant to the ends of justice in matters where their lordships were to sit as judges. It gave a power to prosecutors, which prosecutors should never possess: viewing it in this light, he thought it expedient that a committee be appointed to search into precedents of similar bills, in order that from their report some light might be derived to guide the conduct of the house on the present occasion. This motion was agreed to: and on the 27th, the order of the day was read for the attendance of the judges, who were all present, to give their answers to the questions referred to them; the first and second of which went to enquire whether according to law a witness could demur to answer a question, which might render him liable to an action for debt, or to a suit for the recovery of the profits of public money? and the third was, to ascertain whether a witness, who, in making a full and fair disclosure, was excused from certain debts, could not be legally objected to, on the ground of his being interested?

The lord chief justice Mansfield delivered the opinion of the judges, which, with respect to the first two questions, would, he feared, leave

their lordships in nearly the same state of doubt in which they were before, the judges themselves being divided in opinion upon them. Those who thought that a witness, in such case, could not demur, might be prepared to give a decisive answer; but with respect to those who were of a contrary opinion, that opinion was qualified by a great number of exceptions, which it was not their province to descant upon, under the general terms of the questions, and upon which, indeed, it would be scarcely possible for them, under a general question, to give a decided opinion. With respect to the third question, they were unanimously of opinion, that a witness in the situation described, on condition of his making a full and fair disclosure, could legally make no difference with respect to his evidence, he being bound by his oath, by law, morality and honour, to declare the truth, the whole truth, and nothing but the truth.

Lord Auckland expressed his disappointment at the opinion that he had heard from the judges, which he had expected would have been decisive. He begged leave to propose another question, "Whether, according to law, any officer, or agent employed under any officer, entrusted with the application of public money, could demur to answer any question relative to the matter in issue, the answer to which might render him liable to any suit respecting the application of such money?" This question he was willing to withdraw, if any other noble lord suggested a better mode of attaining the same object.

The answers of the judges were, at the suggestion of the clerk, demanded in writing. The answer to the third question was similar to that given verbally by the lord chief justice. The answer to the other two questions stated, that they were so general in their nature that the judges could not give a satisfactory answer.

Lord Eldon said that more specific questions could not be framed, without going into the merits of the case which was to come before them by impeachment, and upon which their minds should be kept perfectly clear till it came before them in evidence.

Lord Holland protested against the opinion given by the judges upon the first two questions, as in its tendency it was unconstitutional. He did not conceive that it rested with the learned judges to say that a question referred to them was too general; they were bound by the practice of parliament to give a specific answer, when their lordships required one. He conceived that the house had a right to an answer from the learned judges upon any abstract point of law, and that such an answer should be in the affirmative or negative. In this case the answer delivered *viva voce* by the learned chief justice, and that delivered in writing, were at variance. From the former it was clearly to be inferred that the learned judges differed in opinion respecting the answer to be given, while the paper delivered in at the table was the answer of all the judges, and stated that which he was anxious should not be considered by the house as an answer that it was proper to admit.

Earl Stanhope said his noble friend had mistaken the practice of parliament: it had been constantly the custom in the case of Mr. Hastings to refer questions to the judges, on specific points and individual cases. He could not admit

admit the propriety of requiring an answer from the learned judges to a question respecting an abstract point of law. Such a question might involve both negative and positive relations; and it was not possible for the judges to give a general answer of Yes or No, to a question that might admit of a thousand exceptions to the general rule laid down. He intended, unless it were done by some other person, to propose a general law upon the subject, by which the evidence given by a person, respecting any matter in issue, should not be afterwards made use of in any way against him.

The lord chancellor observed, that it was clear from the statement of the learned chief justice, that the learned judges had not declined to answer the question on account of its being of too general a nature, but that they had differed in opinion with respect to the subject matter which that question involved, and therefore they could not return a general answer either one way or the other. He looked up with reverence and respect to the opinion of the judges, and wished for their opinion, which the house had a right to demand. The variance between the verbal statement of the chief justice and the answer delivered in at the table, was obvious to the house; it was also clear that the difference of opinion among the judges was not as to the form of the question, but upon the merits of the question itself. Under these circumstances he thought the house was entitled to call for an opinion of the judges delivered *seriatim*.

Lord Grenville, lord Hawkesbury, the earl of Radnor, and lord Eldon—all concurred in the opinion that the judges should be heard *seriatim*; which being agreed to, lord Holland moved that the consideration of the bill be deferred till Tuesday.

On the 28th, after the usual routine of business, the judges proceeded to deliver their opinions on the questions referred to them. Mr. baron Sutton was understood to say that, as a general principle, a witness might be required to answer a question which did not involve him in a criminal prosecution, but which acknowledged a debt recoverable by a civil suit. Mr. baron Graham was of the same opinion.

Mr. justice Chambre took a similar ground of argument, contending that a witness under such circumstances might be required to answer, otherwise a witness could not be compelled to answer, because the answer might affect his interests, and in that case it would scarcely be possible to obtain the truth, or to do justice between party and party. He admitted, however, that there were exceptions to the general rule. In this opinion Mr. justice le Blanc and Mr. justice Lawrence concurred.

Mr. justice Grose contended that there was no established rule of law, nor any precedents of sufficient authority, by which a witness could be required to answer, when the effect of that answer might be to render him liable to a civil action, in consequence of his being forced to acknowledge a debt, or that he was wrongfully in possession of any property, or to make any other acknowledgment injurious to his interests.

Mr. justice Rooke concurred in the same opinion: he deprecated the establishment of a principle that should compel persons to make such acknowledgments as might be ruinous to themselves and their families, while on the other hand,

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in order to avert such consequences, they would have a strong temptation to perjury. He referred to the case of lord Keith, who, being unwarily led to acknowledge having acted erroneously in his situation of commander in chief, was afterwards subjected to a verdict, with 10,000*l.* damages.

Lord Ellenborough moved that the further hearing of the judges should be postponed till the next day—When

Mr. Baron Thompson said he could find nothing satisfactory on the subject involved in the questions referred to the judges, but he was of opinion that a witness under the circumstances mentioned was not compellable to give evidence of facts which might be afterwards used against himself.

Mr. justice Heath was of opinion that witnesses under such circumstances were compellable to answer.

Lord chief baron Macdonald deprecated the consequences which would ensue from the establishment of such a principle, as that a witness was not compellable to answer where that answer might tend to acknowledge a debt recoverable by a civil suit; as in that case a witness interested to the amount of five shillings, by refusing to give evidence, might defeat the just claim of a party to ten thousand pounds. In the court in which it was his lot to preside, it would also be productive of the worst consequences, as in revenue causes witnesses would on such a ground very frequently demur, and prevent the truth from being ascertained.

The lord chief justice had ever considered it as an established point of law, that a witness was not compellable to answer any question that might subject him to a civil action; this was the opinion of lawyers of the greatest eminence: it was so decided by lord Kenyon, in a case where an action was brought by a person against another who had been clerk, for money alleged to have been received for the use of the plaintiff. After a variety of arguments in justification of his opinion, he concluded by asserting, that a witness under the circumstances mentioned was not compelled to answer.

Earl Stanhope, from the difference of opinion that prevailed among the judges, proposed a bill for the purpose of enacting that the evidence given by witnesses should not be afterwards made use of against themselves, except in cases of wilful and corrupt perjury.

Lord Eldon, after the bill had been read a first time, said he concurred with the noble earl in his opinion, as to the necessity of making some legislative provision upon this subject, but the mode of doing it must be matter for mature deliberation. He did not think the bill proposed by the noble earl would answer the purpose; as in many cases it would be of no consequence whether their evidence was used against themselves; the very disclosure, in many instances, being sufficient to point out the means by which such facts might be proved in another manner. He was aware of the necessity of enacting some legislative provision on the subject, as now the question had been mooted, and the opinions of the judges were known. He had always considered the law to be, that witnesses were compellable to answer under the circumstances referred to; such he believed was the opinion of lawyers of the first eminence, and he had

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no doubt that the decision of lord Kenyon was wrong.

The lord chancellor coincided in opinion with his noble and learned friend, as to the necessity of some legislative provision, but thought the present bill was inadequate to the purpose. He also concurred with his noble and learned friend in his opinion as to the law with respect to the questions referred to the judges. He had never heard a single doubt started on the subject;—he did not recollect the case said to have been decided by lord Kenyon. He was, however, perfectly convinced, upon the circumstances stated with respect to that case, that the decision of lord Kenyon was erroneous, although he always looked up to that noble and learned lord with the greatest reverence and respect.

Lord Ellenborough wished for a declaratory bill on the subject, to which earl Stanhope declared himself inimical; and his bill was ordered to be printed.

Lord Eldon and the lord chancellor agreed to prepare a declaratory bill on the subject: and on the 7th of March

The lord chancellor, quitting the woolsack, observed to their lordships, that in consequence of the opinions delivered in that house by the judges, upon the questions referred to them, he had thought it his duty to introduce a bill declaratory of the law respecting the compelling of witnesses to give evidence. A difference of opinion certainly prevailed among the judges; but the majority was so great in favour of the affirmative of the proposition that evidences were compellable, that he took that to be now the recognised principle of the law. Of the eleven judges who gave their opinions in the house, seven were for the affirmative and four for the negative. Upon the authority of the former, he had framed the bill which he would now present to the house. The principle of it, as well as the necessity which occasioned it, would come under discussion on a second reading, when he understood a noble and learned lord intended to propose introducing a proviso into it.

Lord Eldon stated, that he had prepared a clause to save the law on the question. He had no doubts himself upon the point; but four of the judges having stated that the general proposition admitted of many exceptions, he thought it advisable to engraft a proviso upon the bill.

Lord Holland, after a brief detail of the progress of the *impeachment witnesses, indemnity bill*, brought in last session, and of the bill then before the house, concluded by moving to discharge the order for summoning their lordships, observing that he should fix no other day for the second reading, until something definitive was done respecting the proposed declaratory law. This law was again discussed on the 11th of March, when the

Lord chancellor, to render the security of witnesses more complete, proposed to insert the words, "any penalty or forfeiture of what nature soever," instead of the mere words "penalty or forfeiture."

Earl Stanhope thought, that from declaratory bills, like the present, many evils might arise; and that, if the principle were admitted, bills of this description might hereafter be obtained, to declare that to be the law, which was not so: and though seven of the judges, as well as the noble chief justice of the king's bench, had stated it to

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be the law, yet, if the opinions of many eminent judges, now no more, on the contrary side were taken into the account, they would be found to constitute a majority. Their lordships might think, perhaps, that he intruded his opinions on legal subjects; but he felt confident in his own knowledge, having, with an able attorney at his elbow, read through the whole of the statutes, from magna charta to the present time—a piece of drudgery to which, he would venture to say, no one who had heard him had ever submitted. He had no objection to the enactment of what the bill stated to be law, if he thought the house would afterwards pass his bill for the protection of witnesses. He moved to leave out the declaratory words in the bill.

The lord chancellor objected to the polling the opinions of dead as well as living judges, for the purpose of ascertaining on which side the majority was to be found, as such a system must put an end to the jurisprudence of the country, by rendering of no avail the decision of the judges in any case, unless they were supported by a majority of the opinions of judges who were no more. He would give up the bill altogether, rather than give up the declaratory part of it: if his noble friend would turn over the statutes again, he would find several acts of this description, where the law, upon certain subjects, having fallen into doubt, was declared, in order to remove the doubt. After a few more words from lord Stanhope, the lord chancellor, and lord Auckland, the bill was passed, and was ordered to be reported the next day.

Earl Stanhope then moved that his bill, "for the discovery of truth," should be read a second time the next day.

March. 12.—Lord Eldon, in order to save the exceptions which existed to the general rule laid down in the bill, proposed a proviso, the first part of which enacts, that the court shall not repel an objection made by a witness to answer, where such objection is made specially, and on specific grounds stated, but shall decide on such objection according to the law as it appears to them. It is lastly enacted, that a witness shall not be compellable to answer any question which he could not be compelled to answer as a defendant in a court of equity, on a bill being filed against him.

Earl Stanhope objected to this proviso, which, he said, instead of declaring the law, left it to the judges of each court to decide what was law, thereby, instead of removing doubts, rendering them still more doubtful. He also considered the clause to be unconstitutional, as it sent the judges of the courts of common law to the courts of equity, to learn by what law they were to decide.

The lord chancellor defended the clause, because, as from the opinions of the judges there were exceptions to the general rule, it was necessary to provide against them. With respect to courts of equity, the law of evidence was the same in those courts as in the courts of law, and therefore the objections upon this head fell to the ground, as the clause merely directed in fact that the laws of evidence should be resorted to.—Some further conversation ensued between several of the peers, when the clause was received, and added to the bill: but on the 17th of March, when the business was again brought under discussion,

discussion, it was agreed, after much debate, to commit the whole of the proviso, and leave the bill as it originally stood, merely declaratory of the law. The bill, thus amended, was finally passed and sent to the commons, where the subject of the proviso clause was also brought forward by the

Master of the rolls, who said that the object of the bill was to declare the law as it had been delivered in the opinions of the majority of the judges. They declared that, generally speaking, witnesses could not refuse to answer, on the ground that by so doing they would subject themselves to a civil suit. This declaration implied exceptions, though it was not mentioned what they were; it was, however, necessary to take care that whatever exceptions existed should not be set aside. The judges had given their opinion with a limitation: in the bill there was no limitation. The only limitation that could be meant by the judges was, that the rule should not be more compulsory on witnesses in a court of common law, than upon a defendant in equity answering a bill. To make the bill conformable to the opinion of the judges, he proposed a proviso, stating, first, that the rule should not be more compulsory on witnesses in a court of law, than upon defendants in equity. And, secondly, that the judges were to decide with respect to exceptions, in the same way as if the act had not passed.

The solicitor general objected to the proviso, because he thought it clear that a court of law ought not to take its rules of evidence from a court of equity. The doctrines of equity were of a comparatively modern date: those of law ought to stand upon their own grounds, without reference to the practice of the courts of equity. The objects in law and in equity were different. In equity, the purpose of a bill was to compel a defendant to answer against himself. In law, the object was to protect a person as much as possible from giving evidence against himself. The principles too were quite different; and, important as he thought it was that this bill should pass, he would much rather that it should be rejected, than that it should pass with this proviso. The bill, as it stood, expressed the opinions of the judges. It provided that a witness should not be excused from answering SOLELY on the grounds that the answer might subject him to a civil suit. But there were exceptions to the general rule, and these were left open as before.

The attorney general contended that the bill did not express the sentiments of the judges. They had given their opinion with a qualification, but here was no qualification. The *modes* of obtaining evidence, and not the rules, were different in law and equity. One buys for a valuable consideration, another presents an equitable title; yet in equity the former is protected. It is the same in the courts of law; but the origin of the rule was in the courts of equity, and the exceptions consequently originated there, for no grounds were to be found for them in law. He therefore supported the proviso.

The master of the rolls agreed that the judges of law ought not to resort for rules to courts of equity, but this was not the point: the object was to declare the law according to the opinion of the judges. Now the judges had meant some limitation, and the rule of equity was the only one they could mean, for there was

none in the books of law. He mentioned two cases upon which the judges seemed to rest, and in these it was determined that the witnesses could not be compelled to answer questions to which a defendant in equity might demur. According to the genius of the old law, no man could be required to answer, where the answer might prove a debt against himself, more than in cases where it might prove him guilty of felony. The object of the English law was not to reduce a person to the dilemma either of accusing himself or of being guilty of perjury. In equity, a defendant was required to answer against himself; but there were exceptions to the rule. This bill went further, and allowed no exceptions. According to the law, no man could be forced to answer in a case where he might be exposed to risk of any sort. The rule then was found in equity, and the judges themselves had gone to equity for it, and he only followed them there. As to the law-judges going to equity, the statute of uses forced them to go there; for what did they know of uses till they found them in Chancery?

Mr. Percival thought, that the declaratory law would go beyond the opinion of the judges, and therefore agreed to the propriety of adding the proviso, if the bill was to pass.

Mr. Fox was satisfied that it would be better that the bill should not pass, than pass with such a proviso. He agreed that this bill was of peculiar importance, both because it was respecting a rule of daily application, and because there was a great difference of opinion respecting it. The judges had expressed, that "generally" a witness is obliged to answer questions that may even expose him to a civil action. The words of the bill are, That a witness cannot decline to answer, "solely," because such answer might expose him to a civil action. The word "solely" left the question still open to the judges, and did not take away any of the exceptions now existing. A witness might, after the passing of this act, decline to answer a question, not solely because it would expose him to a civil action, but because it might expose him to a particular sort of action, from which he was protected by the rule as it stands at present, subject to the exceptions which the judges meant. The passing the act in its present shape would only establish the present rule, but would not take away any of the existing objections. He believed the opinion of the judges to be right, but his opinion could add nothing to the weight of their authority. He knew that there had been at all times excellent judges, attached to the common law of England, and who would not travel into the courts of equity to learn the principles which were to determine the admission of evidence at law. In the present instance, the twelve judges who had delivered their opinions stated nothing of the practice of the courts of equity; he presumed, therefore, that their opinions were merely declaratory of the rule of evidence at law, and he should think it acting contrary to their opinions to introduce a proviso of a different nature. A proviso, to the same effect as that now proposed, had been introduced into the house of lords, and was at first received; but it was afterwards debated, and the sense of that house was so decidedly against it, that it was withdrawn. He said

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the proviso was useless, and thought it was highly necessary that the law should be settled upon this point.

Sir Vicary Gibbs considered the bill in no other light than as declaratory of what the majority of the judges had decided to be the law upon the case, and so far he certainly approved it; but, at the same time, he thought it behoved the house to exercise the utmost caution in adopting any proviso, by way of qualification, without being sure that it was a species of qualification reserved by the judges in laying down the general principle. The committee, before they adopted any amendment of that sort, should be convinced that it was coincident with the opinions of the judges. He was, therefore, decidedly against the proviso.

The question being then put upon the proviso clause, it was carried in the negative; and the bill being gone through was ordered to be reported next day: and on the 28th the solicitor general moved the order of the day for the third reading of this bill, when a long, learned and elaborate discussion took place, which it is not necessary to detail. The bill was then passed.

On the 3d day of March the earl of Bristol made a motion, of which he had given previous notice, respecting lord Ellenborough's seat in the cabinet. He assured their lordships that he was not actuated in this business by any narrow sentiments of party feeling, but that he was influenced entirely by his veneration and regard for the constitution, and his anxiety for the public welfare; nor would he have brought forward any motion, could he have induced his majesty's ministers by private application to retract the measure which had caused so much anxiety and distrust, viz. the appointment of the lord chief justice of the court of king's bench to be one of his majesty's cabinet ministers. Failing in these efforts, he considered it to be his duty to introduce a motion upon the subject, not for the purpose of embarrassing his majesty's ministers, or impeding their measures, but in order to bring into discussion a great constitutional question. With respect to the question itself, it had been admitted that lord Ellenborough was one of the members of what was called the cabinet, in support of which the case of lord Mansfield was quoted as a single precedent; and it cannot be doubted that the circumstance of his being chief justice and cabinet minister at the same time had clouded the lustre of his name, and laid him open to attacks to which he would not otherwise have been liable. Such a measure in its principle appeared to be utterly unconstitutional. The separation of the judicial from the legislative and executive power, had always been considered by the best writers as essential to the existence of public liberty and the welfare and happiness of a state. On this subject Montesquieu had dwelt with peculiar emphasis. To blend and amalgamate in the same person the judicial and executive functions, must in many cases be productive of the most serious consequences, while at the same time the public could never feel satisfied with the justice administered under such circumstances. The chief justice might, as a cabinet minister, concur in ordering a prosecution for a libel upon his majesty's ministers, and afterwards, as chief justice, have to try the very person

against whom he had ordered a prosecution; and this, too, for a a libel on himself, as one of the ministers. It might be said that the jury would decide on the case; the punishment, however, must be meted out by the very chief justice who was himself the party libelled. He protested against the dangerous tendency of such a principle, to the extension of which, if once admitted, there could be no limit. If it could be admitted that the chief justice might be a cabinet minister, the same principle might be extended to all the judges of the courts at law, and thus every distinction between the judicial and executive functions would be completely at an end. In delivering these opinions, he meant nothing personal to the present chief justice, for whose character he had the highest respect; he knew that the conduct of that noble and learned judge could not in the slightest degree be influenced by his situation as cabinet minister; but it was not enough that he was of this opinion, or that their lordships were of that opinion, but the public should be satisfied that there was no ground for suspecting that justice might not be duly administered. His ideas upon this subject were sanctioned by judge Blackstone, who had expressed himself clearly and decidedly upon the subject, and who declared that the judicial ought to be kept entirely separate and distinct from the legislative and executive functions, in order to maintain the constitution and preserve entire the liberties of the people. His lordship concluded by moving That it is inexpedient, and derogatory to the constitutional administration of justice, to summon to any committee or assembly of the privy council, any of the judges of his majesty's courts of common law.

Lord St. John thought that the present motion would afford a good opportunity for removing all objections, and of silencing every alarm which lord Ellenborough's appointment could possibly have caused. He could not help, however, expressing his surprise that the noble earl should assert that there existed only a single precedent; there surely were many: but he must first complain that the question was merely an abstract question. It stated the existence of no real evil; it dwelt only upon the apprehensions that some evil might result from it. To agitate, therefore, a mere abstract question of such a nature at the present moment, is not only idle but injudicious, and may give rise to difficulties of which the noble mover is not aware. Such questions should not be incautiously or wantonly indulged in. For his part, he looked only to the statutes for the law of the land; and if he found they warranted the appointment in question, and that there was no room for public alarm, no discussion of a mere speculative nature should prevent him from giving his negative to the motion. He should not ransack former times for precedents to justify the appointment; he would refer to the precedents at the time of the revolution and subsequent to that period. He should refer the noble earl to the authority of sir Edward Coke, and there he would see that not only the most eminent lawyers were consulted upon matters of law, but also on the gravest matters of high state policy. To consult the chief justices on such points was then no novel matter, indeed they were among the chief advisers of

of the crown. The noble lord took a short review of what regarded the question from the time of Edward the third, and argued that throughout the whole period the privy council was constituted nearly as it is at present. Let the situation of sir Francis North be recollected, and that of almost every one of the chief justices of the common pleas, all of whom, invested with the same pretensions, were members of the privy council. If he referred to the time of queen Anne, the same practice prevailed; and the lord chief justices of both benches were appointed members of the executive government: Could it therefore be said that the case was reduced to the authority of a single precedent? But if arguments of a similar tendency were to be looked for from analogy, they would occur in abundance. Upon a general survey, therefore, of the question, there could be found nothing in precedent, or in practice, or in analogy, that furnished any just ground for the noble earl's motion; he therefore hoped that he would withdraw it.

Lord Eldon would not argue this question under any personal or political bias. Sooner than be supposed to be actuated by disrespect towards the noble and learned lord whom it more particularly concerned, he should wish to have been absent altogether from the discussion: but he felt himself bound in duty to be present, and he thought that the appointment in question was unconstitutional. It was acknowledged not to be illegal, but perhaps what was legal might not always be constitutional: on these points, however, he could abide by the decision of the learned lord himself. He was confident that the learned lord was as sensible as he could be that it was not merely the simple administration of justice that could secure the right, and satisfy the minds of the people: they anxiously looked to its pure and unsuspected administration, and from such principles alone could they confidently rely upon the due preservation of their rights and liberties. Such were his feelings and opinion respecting the character which the administrators of justice should be thought to possess, and those he was equally satisfied were the sentiments of his noble and learned friend. Lord Mansfield, it is true, had been a member of what is called the cabinet; but this very circumstance hung like a weight upon that great man for nearly thirty years of his life, and his opinions respecting the habeas corpus had created a jealousy not easily allayed. On the point of the expediency of the appointment much might be said. When he in his capacity of attorney general had to contend against sedition and treason, had those cases been tried in the court of king's bench, what would have been the conduct of the lord chief justice had he been a member of the cabinet? Were he not to attend the privy council where evidence was taken on these cases, then he would have been a minister without performing his duty as such; or if he did not attend the king's bench, then he would have omitted his duty as a judge, when the characters and the lives of his fellow-subjects were at stake. Should he be called on, like lord chief justice Eyre, first to be consulted on the steps to be taken, and then to sit in judgment upon the persons accused, he should feel reason to hesitate; indeed he could never think this

conduct the most honourable part of that learned lord's life.

The earl of Carlisle thought the present motion had an obvious tendency to throw discredit upon the present administration, and weaken the confidence so justly reposed in them. Upon this ground he had a right to take his stand; and when an administration had been formed, comprising such great and splendid talents, he had a right to say that no motion ought to be brought forward on light and trivial grounds, that could tend to throw discredit upon their conduct. He therefore objected to the motion, because it could be productive of no good, and might tend to excite doubt and distrust in the minds of the people. The motion therefore was improper: if there was no evil existing, it was improper to excite doubt and distrust; and if there was an evil, it proposed for it no remedy. It frequently happened that writers made use of general expressions, without considering all the consequences to which they might lead. Thus, with respect to the quotation from Blackstone, stating that the judicial functions ought to be entirely separated,—such a separation was well known not to be admitted in the constitution of England. Independently of chief justices having been peers and legislating in that house, the house itself united in its own body the legislative and judicial functions. There was no end to the consequences of speculative theories of this kind, which merely asserted abstract propositions without affording any conclusion applicable to purposes of real utility.

Lord Boringdon urged the incompatibility of the two offices of cabinet minister and chief justice, to be not merely a circumstance discernible only by refined minds, but which was obvious to the most common observer. Much anxiety and distrust had, he contended, been excited in the public mind by the appointment of lord Ellenborough to a seat in the cabinet, and something ought to be done to allay these feelings. After other instances referred to by his lordship, It was well known, he said, that the judges of the courts of common law held their offices for life, or at least could only be removed for misconduct. It might happen that a judge, who was also a cabinet minister, might in his office of judge administer justice with unsullied honour and unimpeachable integrity, but who, as one of the king's ministers, might be impeached at their lordships' bar for high crimes and misdemeanors: he would then be placed in the singular situation of attending half his time as a judge upon the bench to administer justice, and the other half at their lordships' bar in his own defence.

Lord Sidmouth was convinced that this question might be fairly met, and put an end to, upon broad constitutional principles. He admitted that the noble earl (Bristol) was actuated by the purest and most disinterested motives; but he could not help deprecating any motion which went to deprive his majesty of the advice and assistance of the chief justice of the king's bench, which in the present instance might be deemed a great public calamity. The precedents already adduced had completely, in his opinion, established the principle of the chief justice being called to advise and assist in the council of his majesty; and it was remarkable that in the reign of queen Anne the

chief justice of the king's bench was not only an adviser of the council of regency, but one of the council of regency itself, which was to exercise the functions of royalty. He should therefore conceive himself to be acting upon the soundest constitutional principles in giving the motion his decided negative.

Lord Mulgrave said it was a peculiar circumstance that the present administration, which had to boast itself of containing all the great and eminent talents of the nation, should have thought it necessary to go out of the way to make the chief justice of the king's bench a member of the cabinet. They could not want him on the score of political assistance, nor, in truth, could he have been able to devote much time to political studies. The situation of a cabinet minister was indeed totally incompatible with that of chief justice; since to mix with the provisions, inquiries and directions for a prosecution, was inconsistent with an unprejudiced trial afterwards. A chief justice of the king's bench holds a situation independently of the pleasure of the crown: not so a member of the cabinet. Suppose then that an address should be presented to the throne to dismiss the noble lord from his presence and councils for ever, with what grace, after his dismission from the cabinet, could he retain his situation as chief justice of the king's bench? Upon every consideration, therefore, he should vote for the motion of the noble earl.

The earl of Caernarvon said he had paid great attention to the subject, the importance of which seemed to diminish in every step of the inquiry. He could find no trace of an objection made in any period of our history, nor of any specific danger imputed to a practice which had subsisted from the earliest times to the present moment. "I came down, however," says his lordship, "to this house, not without expectation that I might hear from noble and learned lords what had escaped my researches; and here I find that not a single circumstance can be adduced from whence danger may be inferred; no present abuse, no existing evil has been pretended. The noble and learned lord (Eldon) has admitted that the appointment is legal; he did not say it was unconstitutional, but inexpedient. It is therefore the learned lord's opinion that the king may constitutionally do that which he ought not to do; and the clear result of that opinion seems to be, that it is expedient for this house to censure the king for the legal and constitutional exercise of his royal prerogative. I learn from the noble mover, that it is expedient to wrench from the king's hands an acknowledged, unabused prerogative for ever, because some passages in Montesquieu and Blackstone have alarmed his imagination with inexplicable dangers; but the learned chief justice is not by his appointment such a minister of state as Blackstone describes, and does not come within the scope of his observation. The same writer, in another passage, treating of the councils provided by the constitution for the king, mentions the judges of the courts for law matters. The noble mover, however, thinks that the king should remain in ignorance of the law, rather than consult the judges provided by the constitution for his advisers in this matter. The noble lord objects to the king's advising with the judges in his cabinet coun-

cil, though he has reconciled his mind to the constant appointment of the chancellor to that situation, because the latter holds an office during the king's pleasure, which the former do not. The judges are also of council to the house of lords, and may be of the privy council; in both these situations all the effects must result from the same person holding the joint situation of counsellor and judge. The noble earl, therefore, would not obtain for the constitution that melioration which he proposes and expects from his motion; for it would still remain inherent in the principles of the constitution, in the privy council, in the king's power of consulting the judges individually and collectively, and in the construction of the house of lords: a total alteration, therefore, in the frame and texture of the constitution must follow, to give effect to his motion. It was incumbent on the noble mover to have shown that, at the period of the revolution, a specific change was made in this point, before he could be entitled to bar the search into antiquity. I will, however, mention an instance, which I think the most important of the older precedents, and which is the only one omitted by a noble lord. It is drawn, indeed, from turbulent times, but the very turbulence strengthens the inference drawn: I refer to the reign of Richard the second, when justice Tresilian, a favourite and cabinet counsellor to that unfortunate monarch, was impeached by the commons and condemned to death. Many of the judges, who were consulted upon law points, were also impeached and found guilty of treason: but they were not charged the one for sitting in the cabinet though a judge, nor the others for answering the legal questions put to them; but distinctly for giving bad advice and bad law, to the subversion of the constitution. This is therefore a strong instance of the unreproved exercise of the royal prerogative at that early period. The precedents already adduced have filled the whole intervening space to the late instance of lord Kenyon, and no objection to the practice has been pretended in that whole space, except in the case of lord Mansfield; but, even in this, it is certain that the imputation neither disquieted lord Mansfield, nor prevented lord Kenyon's appointment."

Lord Auckland gave a concise historical narrative of the instances in which the office of chief judge had been joined with that of privy council or statesman. Lord Coke gave an account of the memorable privy council of twelve, to which all matters of state were referred, and of which he was one: and from the earliest instance on record, in the thirteenth century, when Hubert de Burg the grand justiciary was also prime minister, it was the invariable custom of the constitution to make the chief justice a member of the king's council in all matters of state. The revolution made no change in this respect. Lord Hardwicke held the office of lord chancellor and chief justice of the king's bench at one and the same time, and for six months he sat in the cabinet. It was never then considered as at all incompatible with the principles of the constitution. Lord Mansfield was an efficient member of the cabinet for five years of the reign of George the second, and for six years of the present reign, and it had never been imputed to him as an impropriety.

Lord Hawkesbury spoke against the appointment, because he said it was calculated to take from the just authority of the king's government. For the noble and learned lord personally he had the highest respect and reverence. He could feel no other than joy at seeing him in the king's confidential councils. It was only as lord chief justice that he objected to him; he saw in his mixed character of politician and judge serious and alarming inconveniences: these the noble lord illustrated by examples. It had been asked, Why begin at the Revolution? Why not go back to the more remote parts of our history? Because it was not wise to go back to unsettled times for precedents; —because, before that time, the judges were not independent of the crown; and if they did not go back to bad times, the sole instance of such an appointment was lord Mansfield, for the case of lord Hardwicke was not to be mentioned as an example. In that case there was a special cause; and if special circumstances could be mentioned as a reason now, their lordships would never have heard of the present motion. Such was the case in 1788, when lord Kenyon was summoned to the cabinet; but, up to the present instant, lord Mansfield was the only chief justice who had ever been appointed to a permanent place in the cabinet; and he knew that, at a late period of life, when that noble and venerable lord was again invited to take a seat there, he declined it, with a hint of his uneasiness at having ever been drawn into the situation. It was different with the office of lord chancellor: he was properly the king's adviser in matters of law, his jurisdiction made it less dangerous, and he was the only judge who was removable at pleasure. The privy council was in its nature a judicial court: they tried questions of different sorts, but in all the committees of privy council for such trials, the chief justice of the court of king's bench was not present.

Lord Holland replied to the different lords who had supported the motion, and showed the many instances of judicial characters mixing in the executive in this country; and he adduced an instance in Scotland, where the present lord justice Clerk boasted from the bench of being a colonel of volunteers; and when a dispute between two members of his regiment came to be solemnly tried before him, he proposed himself to throw aside the character of the judge and settle it as their colonel.

Lord Grenville declared, that he alone was the person responsible to the country for the written advice that he had given to his majesty to call lord Ellenborough to his councils. It was legal, constitutional, and expedient. He had done it because the noble lord had an elevated mind, proper for the difficult times which we had to encounter; a firm mind to meet our dangers, and an unimpeached character in his high station to give authority to his advice: and he had chosen him that the country might see, in the difficult crisis which they were approaching, that they would have the highest legal councils.

The lord chancellor left the woolsack, and spoke against the motion. He wished the noble earl who brought it forward would follow the advice that had been given by the noble and learned lord who followed him, to the distinguished individual who was the object of it, viz. to reflect, and change his

opinion. Young as he was in that house, he would take upon himself to say that such a motion had never been made in it. If he did not vote against it, he should think that his majesty could not better exercise the prerogative which had been alluded to, than by immediately removing him from the situation which he had now the honour to hold. The motion was then put, and negatived without a division.

On the same day, in the house of commons, Mr. Spencer Stanhope introduced the discussion of the same subject. He solemnly disclaimed any disposition to throw impediments in the way of government by the course he was about to pursue. Although it happened that a similar motion to that which he proposed to make was to be brought forward that day in another place, yet he could assure the house that he did not act in concert with the noble lord who was to originate the business there. He was not unfriendly to the present administration; but the question to which he was to call the attention of the house was exceedingly interesting to the country, and had excited a strong sensation every where. He could have wished that the noble and learned lord, to whom his motion referred, had saved him the pain of making it by withdrawing himself from the situation in which he had been placed. He trusted he should be able to prove that the noble lord ought not to occupy such a place; but if he failed, he should have the consolation of affording gentlemen an opportunity of satisfying the house and the public on a subject that had given rise to so much anxiety. Here the honourable member moved that the king's speech, and the act of parliament in consequence of that speech, for securing the independence of the judges should be read. Upon this act he should take his stand. He looked upon it as a breach of this act to appoint any judge of common law to an office of emolument or power, or which was an object of honourable ambition, from which he might be removed at pleasure. Such an appointment tended to do away that independence which the bill was designed to secure. With regard to the circumstance of there being no salary annexed to the appointment, he was sure that could have little weight, as pecuniary emolument could not be supposed to have any influence upon honourable minds, compared with that of high office and dignified station. He did not mean to propose any limitation to the king's prerogative, when he could not approve of the appointment of a person to the cabinet whom he regarded as disqualified, particularly as to the judicial duty that he would have to execute in that situation. No such officer ought to be appointed an habitual adviser of his majesty. It was contrary to law and to common sense, that the same person should be judge and accuser; yet a chief justice, who had a seat in the cabinet, would often direct prosecutions in that capacity, over which prosecution he would afterwards sit as judge. Another consideration resulted from the particular case that had occurred last session, when the house directed that lord Melville should be prosecuted in the court of king's bench. That noble lord had been a member of the cabinet. If lord Ellenborough had been treasurer of the navy, he might have been in the same situation; and it would be matter of doubt whether he could be removed upon such an obvious charge, if the *quamdiu se bene*

bene gesserit applied only to his conduct in the character of judge. He was at a loss where to refer for precedents that would bear on the subject. He was aware that the case of lord Mansfield would be appealed to; but it was well known that he had been a high constitutional lawyer, and so little delicate on this head, that he felt no scruple to sit on the trial of lord George Gordon, under whose influence the riots had taken place which had produced so much injury to the public and to the noble and learned lord himself. He then came to the precedents on the other side; they all knew from history that Jefferies,—who was full as good a statesman as a judge, had been in that situation, and had been removed at the instance of that house. And in a more recent instance, the house had succeeded in obtaining the removal of a judge who had sacrificed his independence by accepting an office dependent on the board of control. Here, he observed, the question of salary had been entirely left out of consideration. It was only the sacrifice of his independence, by accepting a place from which he was removable at pleasure. His objection did not apply to the person of lord Ellenborough, who was as well qualified as any man to be a member of the cabinet, were he not already disqualified by bearing the office of a common law judge. The honourable member concluded his speech by moving resolutions to the following effect:—

1st. Resolved, that it is the opinion of this house, that it is highly expedient that his majesty's ministers of state, and confidential advisers of executive measures, should be kept totally distinct and separate from his officers who preside in his courts of justice.

2d. Resolved, that it is the opinion of this house, that the members of his majesty's privy council, whom his majesty directs to be habitually summoned to his cabinet, are, and are deemed to be, his confidential advisers of the executive measures.

3d. That for the chief justice of the king's bench to be in the practice of attending on such occasions is highly inexpedient, tending to the suspension of the constitutional execution of his judicial functions, and to render the administration of justice less satisfactory, if not less pure.

On the question being put on the first resolution,

Mr. Bond hoped that he should be able to persuade the house that there was nothing solid in the objections made by the last speaker to the appointment of his noble friend to the cabinet. He admitted, that if the noble lord had been called to a situation incompatible with his judicial functions; if he had been brought into an office that would impede the administration of justice and the law—whatever advantages might be derived from his eminent abilities, he would rather they should be all forgone than such consequences should be produced. He felt that the administration of justice was one of the greatest blessings any country could possess; it was that which secured the government and protected the people; but he wished the house to consider what would be the effect of calling lord Ellenborough to the cabinet. He was already independent, and had obtained the highest rank in his profession. He stood in that proud and exalted

situation in which no object could be presented to him to swerve from his duty. He was a public character, too, more under the observation of the public than any individual in the nation. All the business of his court was public, and there was a greater variety of cases submitted to its decisions than to that of any other court of justice. After many other compliments to the noble and learned judge, he said, As to the supposition of the incompatibility of the two offices, from the circumstance of the possibility of suspicion being entertained with respect to the administration of justice, the honourable gentleman stated the suspicion in the first resolution, and gave it up in the last, where he admitted the purity. If the purity of the administration of justice was doubted, then there might be ground for suspicion; but when that is admitted, the administration of justice must be satisfactory. What was the end the gentlemen proposed? What was the object of their record? What the end of their innovation? It had not been stated that the appointment was unconstitutional, illegal, or unprecedented. It was not unfair, therefore, to assume that the omission stated what amounted to an admission that it was not so. With regard to the effect of the chief justice prejudging a case from the discussion it might undergo in the cabinet, that would apply equally to all magistrates, who first examined the case by the testimony of witnesses, and afterwards sat at sessions. With respect to precedents, he admitted that it was better to look for them in modern times, though he could not allow that no instance was to be taken antecedent to the reign of George the third, to show the non-existence of that jealousy which in the present time began to display itself. In the reign of Edward the third it was enacted, that the chancellor and the king's chief justice should follow his majesty, in order that he might not want the advice of sages learned in the law. Here the honourable member introduced the precedents of modern times, which have already been quoted in the debate of the other house; and he added, that it should be recollected that this was the first time that mischievous effects had been ascribed to such a measure as that now under discussion. When it was considered that the measure had received the sanction of so many learned and upright judges; that it had been acted upon in the best periods of our history; and that now for the first time it was asserted that the appointment of the noble and learned lord would have the effect of corrupting the administration of justice; he implored the house not to remove a nobleman of such integrity and independence from the means of contributing to the public service by his counsels and advice. He concluded by moving that the order of the day be now read.

Mr. Canning said, there was one mode by which, if the services of lord Ellenborough were necessary in the cabinet, they might have been obtained without any objection whatever; and that was to have placed him at the head of his profession. He was sure, after the panegyric pronounced by the right honourable gentlemen upon the virtues and independence of that noble lord, he could not suppose that he would wish to cling to a place for life rather than accept a precarious

rious one. The objection that governed his opinion upon that subject was, that, by accepting a place from which he was removable at pleasure, he did away all the confidence that was produced by the independent circumstances of his other office. Would it be argued that the fear of his removal from the cabinet would have no effect on a chief justice? Would it be contended, that a seat in that cabinet was not an object of ambition? If ever there was a period that proved this more than any other, it was the present; for never had there been an instance in which such objects had been pursued with so much ardour and anxiety. The pure administration of justice was the great blessing which this country had to boast of; the peculiar advantage of our constitution, which had stood unimpaired amidst the shock of parties, and survived and flourished even amidst the troubles and distractions of rebellion, and the salutary effects of which nothing, he hoped, would be done this day to disturb. The noble lord, who was the immediate object of the motion, was in the administration of an office that had required all the intelligence and all the feelings of which man was capable. What he particularly complained of was, that the bench of justice, instead of being looked up to as the summit of elevation the law afforded, was to be, by the precedent of the noble lord's appointment, constituted the spring of a new ambition from which those who had obtained it were to start forward on a new career. Henceforth the study of the law would be cultivated for the attainment of a chief justice's seat merely as a step in the ladder of promotion, and as facilitating the access to greater honours. This was an evil so great to the constitution, that it could not be permitted to establish itself without the utmost mischief. It was no objection that it was not to be found directly prohibited. It was an evil so striking, that every mind must be impressed with a sense of it; and if it should not be checked by this motion, it would at least be ultimately mended by the reflections to which the discussion of this night would give rise. It was essential to the due administration of justice, that a judge should not be called upon to decide on his judgment-seat what he had already decided on in the cabinet as a minister. This mischief was particularly likely to happen in the case of prosecutions for libels on the government. There was no excuse for the appointment but necessity or expediency. There was no necessity in this case, and the expediency was far from being such as to warrant the proceeding. There was no analogy between the situation of chief justice in the cabinet and that of lord chancellor; the one was removable from his office at the pleasure of the crown, or by address from both houses of parliament. But would the chief justice be removed for having given bad advice as a minister; or would he, because he was a judge, be tolerated as a minister after having given such advice? As the privileges of parliament and the rights of the people were valued, this association was to be deprecated: it was to be deprecated also in regard to the prerogative of the crown, to which nothing was more hostile than a removable cabinet. The noble lord was in a situation to do honour to himself, and essential service to the country, by the steady application of the talents which he undoubtedly possessed. But if the

whole benefit of the talents of the highest individual as a cabinet minister were summed up, it would in his opinion be dearly purchased by one hour's suspicion of any deficiency in the administration of justice.

Lord Temple regretted, that when, in making a motion to remove an individual, an attack was to be made on the king's prerogative, the honourable gentlemen who brought forward the motion did not weigh better the authorities on which it was grounded. Referring to every part of our history since the formation of the constitution, no such thing as a cabinet council was known or recognised. It was not till Charles the second's time that a select committee of the privy council was specially consulted on the affairs of government; and the king, recognising the practice as an innovation, promised in future to consult the whole council. When queen Anne was on her death-bed, and a select committee of the privy council sat regulating the succession, the dukes of Somerset and Argyle came into that Tory cabinet, and enforced their right as privy counsellors to be present at its deliberations and proceedings. The cabinet ministers were responsible for their conduct and advice, not as cabinet ministers, but in respect to the offices they held, and as privy counsellors. If the resolutions were to be carried, and lord Ellenborough to be removed from the cabinet, still the object would not be attained, as the noble and learned lord may advise the king as a privy counsellor and a peer without any restraint whatsoever. The principle of the motion would go to the length of establishing that no peer could be a privy counsellor, and no privy counsellor a peer. On the examination of the rebel lords in 1745, all the papers were laid before the house of lords by the lords of the cabinet, and these sat with the others as judges, and no objection was made. After his lordship had referred to other precedents, he concluded with saying, that from the earliest periods of our history the chief justice had been one of the king's vicegerents, one of the members of the council of regency, and always summoned to give his advice on cases of great public delinquency; of course the principle of constitutional law was in favour of the appointment.

Mr. Fox spoke to the following effect: "I must say that the introduction of this subject before the house is to me a matter of surprise. It is the first instance that ever I heard of such a thing as the cabinet council becoming the subject of debate in the house. I never knew of the exercise of the king's prerogative in the appointment of his ministers to be brought into question upon such grounds as have been stated this night. If there were personal objections, there would be a fair ground for an address to his majesty to advise the removal of such a person. Where no personal objections can be stated, one must hear it recommended with astonishment that a class of officers, who were admitted to be eligible to the privy council, should not be allowed to discharge the functions of a privy counsellor; should, in fact, be excluded from the performance of those very duties, which, on his admission to the privy council, he is sworn to perform. But in truth there is nothing in our constitution that recognises any such institution as a cabinet council; but names are of small account in this question. Call

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the council what you will, still the law can know nothing of its members but as privy counsellors. As the existence of a cabinet council, therefore, has never been legally acknowledged, there is of course no legal record of the members comprising any cabinet, and we have it not in our power to state any thing of authority upon the subject, but what may have come within our own observation, or may have been communicated to us by our fathers; therefore our precedents are few, and the gentlemen on the other side appear to doubt even the few we can offer. The cabinet is not a responsible body; there are to be seen many cases in which parliament have tried to get at the advisers of any particular act: but how have they done this? The mode alone will sustain my argument, that the cabinet councils are not legally known: for, in the addresses presented on such occasions, parliament applied to know by whom any measure may have been advised. Such an application serves to show that the cabinet has never been deemed a responsible body. Examine also the several articles of impeachment on record, and you can discover no instance of any man or body of men being impeached as cabinet counsellors: not one word is mentioned which could countenance the idea of any recognition of a responsible cabinet council. Among the leaders of those who promoted the impeachment of lord Oxford were very many able men; among others, sir Robert Walpole, who was seconded by another distinguished person by no means remarkable for moderation; yet even these active able men never, in their zeal to achieve their purpose, even hinted at the existence of a responsible cabinet council, the establishment of which would have so much facilitated their success. From this, and from other circumstances that apply, I infer that such a council was never legally conceived to exist. Therefore for the first time the honourable mover proposes to recognise the existence of such a body, and, if you adopt his proposition, you will introduce a complete novelty; and, I would ask, Do you mean to stop there? If you even do, I can assure you, as far as my influence can go, I will not allow you. For, if in any shape you acknowledge the existence of a cabinet council, we must go on to make such a body known to the house and to the laws. Some gentlemen may confound the functions of what is called the cabinet council, and therefore it may be necessary to state a distinction. Councils frequently meet for the purpose of affording to the members opportunities of consulting with each other, but with no intention of communicating the result to his majesty. Indeed, upon many points, it would not only be unnecessary but improper to communicate with his majesty. On other occasions the cabinet council meet to advise his majesty in person. In the former case responsibility can attach to no one; and to whom should responsibility attach in the latter description of meetings? To the agent, to be sure, who executes the plans resolved on. This I maintain to be well-founded. For if this committee of the privy council should order any project which did not meet my approbation, against which I should protest, still if the plan were exceptionable, my protest would not avail to acquit me of the responsibility that would arise upon the execution of it.

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"Gentlemen on the other side appeared to overlook the privy council: Is not a seat there an object of ambition, and a removal from it the cause of mortification and disgrace? These counsellors are known to the law; and if any one of them should advise his majesty, he is responsible for such advice whether he belong to what is called the cabinet council or no. With regard to theoretical principles, the name of Montesquieu has been adduced: for this writer I entertain the highest respect; but the application of his opinions to the constitution of England I am not disposed to admit: he assumes that the legislative should be totally separate from the judicial functions. But will any man attempt to apply this rule to the constitution of England? With regard to Blackstone, I demur to his authority as a great constitutional writer. That the municipal law was laid down by him with uncommon perspicuity, and that he dilated upon it with great eloquence, I am ready to admit. His purity of style I particularly admire. He was distinguished as much for simplicity and strength as any writer in the English language. Upon this ground, therefore, I esteem judge Blackstone, but not as a constitutional writer. Besides, the words quoted from this author are quite misunderstood.—When Blackstone says that a judge should not be a minister of state, he means that he shall not administer the affairs of government. But that is quite a different thing from the manner in which the gentlemen on the other side would have it understood or applied.—I now come to the specific objections made to a chief justice of the court of king's bench sitting in the cabinet. The first relates to libels: in reply, I will only say that I never heard of such a thing as the propriety of prosecuting for a libel being at all agitated in a cabinet council. Sure I am that no such discussion ought to take place there. The consideration of questions of that nature properly belongs to the office of secretary of state for the home department; with whom it rests to give orders to the attorney-general to prosecute. But the case of treason has been alluded to: upon questions of this kind, lord Ellenborough is as liable to be summoned to attend the cabinet as a privy counsellor, as he is in his present situation. I contend, however, that he is as unlikely to be seriously prepossessed by such previous examination, as the magistrates are who commit prisoners. But I have no hesitation in saying, that when a subject of high treason comes on for discussion in the cabinet, which may afterwards be brought to trial in the court of king's bench, the absence of the noble lord, who is the subject of this debate, from any such discussion would be most becoming. But how many are the subjects connected with war and peace, with our commerce and finances, upon which a lord chief justice may be consulted without exciting the slightest jealousy or objection?"

Mr. Fox now returned to the subject of the alleged incompatibility of the legislative and judicial functions; and, adverting to the statutes which applied to this question, he quoted the acts of regency adopted in the reign of queen Anne, and that also in the early part of his present majesty's reign. By both these acts, a council to assist the regent was appointed, and it was expressly provided

vided that the lord chief justice of the king's bench should be one of the council. In such a situation, the chief justice would have to perform the same functions as lord Ellenborough would be now called on to execute. After recapitulating and enforcing his several arguments, the right hon. gentleman insisted, that the proposition before the house was supported neither by precedent, law, argument, or expediency. He assured the right hon. mover and his supporters, that he was not at all willing to court or provoke opposition to his measures; indeed, he should be glad of the support of any set of gentlemen; but, if he were to have an opposition, he particularly wished that they might always choose such questions as those before the house.

Lord Castlereagh then rose. "In stating my sentiments," says he, "on the question, I should wish to examine how far the practice of introducing a common law judge, and more especially a chief justice, into the cabinet, can be justified upon the ground of direct precedent, or even of analogy drawn from their habitual introduction into other branches of the constitution. And first, as to those parliamentary precedents, which may be considered as of higher authority than the practice of any individual, however eminent or respectable. This part of the argument rests upon the three regency acts of 1703, 1751, and 1765, in all of which the name of the chief justice of the king's bench is introduced into the council of regency. It must be admitted, that these acts give some degree of countenance to the introduction of the chief justice into a situation of political trust, connected with the administration of the executive government. But when the right hon. gentleman assumes the regency council, which was a fixed body, not removable by the regent, and composed of other persons besides the executive officers of the crown, (the princes of the blood royal, for instance, and the archbishop of Canterbury) to be similar to the cabinet either in its constitution or in its functions, he assumes more than the obvious nature of that council will warrant. The general policy of these bills was, it is true, fully discussed, but no question was separately made upon the propriety of including the chief justice. His nomination passed in silence. It is also to be observed, except during the short period of about five weeks, which elapsed between the death of queen Anne and the arrival of George the first in England, that none of these acts were ever acted upon. No experience, therefore, could be had of their practical inconvenience in this or any other instance; but the most superficial consideration of them will be sufficient to satisfy any candid mind, that their frame and constitution is wholly inapplicable to the present times. Their authority as precedents in the debates on the regency in 1788, was generally condemned, and by no individual with more ability or effect than by the noble lord now at the head of his majesty's councils, when he filled the chair of this house. We have, however, a class of precedents entitled to more consideration; namely, those commissions proceeding immediately from the crown, which vest in certain persons under the title of *custodes regni*, removable at pleasure, and bearing, in that particular, a closer resemblance to the members of the cabinet, such powers as are necessary for carrying on the executive govern-

government in the absence of the king. Of these there are upwards of twenty which occur between the revolution and the year 1755, but in none does the name of the chief justice appear. The functions of the *custodes regni* being exercised under the direction of the sovereign, and upon communication with him, the same precautions were not requisite for the security of the rights of the crown which were necessary while the king was a minor; and this observation may explain why such characters as the archbishop of Canterbury and the chief justice of the king's bench were introduced into the parliamentary councils of regency, whilst they were excluded from those immediately appointed by the crown. The single precedent of modern times, on which any argument can be founded, is that of lord Mansfield; and in referring to that solitary case, it is fair to consider it as deriving a sanction, not only from the evidence it affords of that noble lord's own opinion on the subject, but from the acquiescence of those who either sat with him in the cabinet, or suffered him to sit there unquestioned in parliament. I consider the case of lord Mansfield as the only one really in point; that of lord Hardwicke being clearly inapplicable, inasmuch as he never had a seat in the cabinet till he had accepted the seals, and only held the chief-justiceship for a few months, till his successor, chief justice Lee, was appointed. He had then ceased to act as chief justice, and had taken upon him the character and all the functions of chancellor, political as well as judicial. It might well be contended that the weight of precedent, were it stronger than it is, would only go to render it more necessary to correct the practice if it be inexpedient, as I maintain it to be. The countenance which this measure may derive from precedent, may render less censurable those by whom it has been advised or adopted. But perseverance in a bad practice cannot be justified on any such ground. I own, however, that the precedent of lord Mansfield appears to me calculated rather to serve as a beacon to warn his successors from what they should avoid, than to operate as an encouragement to them to follow his example. No judge of more comprehensive knowledge, or of more splendid talents, ever sat upon the bench, yet no one ever possessed in a less degree the confidence of the public. He was regarded with jealousy (perhaps unjustly so), as carrying his political feelings with him into court, and was never able to conquer the effects of having so intimately connected himself with the politics and the party of the day. There is every reason to believe that lord Mansfield was himself deeply impressed with the sense of his own indiscretion in having become a member of the cabinet. He certainly declined to return to it after the year 1765, and is said to have lamented to the last hour of his life that he had ever suffered himself to be placed in this anomalous and hazardous predicament. The arguments drawn by analogy, from the circumstance of chief justices being habitually members of the house of peers and of the privy council, will prove nothing in support of their being called to the cabinet upon ordinary occasions, if the purposes for which they are placed in those situations are fairly considered. The house of lords being a judicial body, and a court of appeal, necessarily requires

quires the presence of legal characters to conduct a jurisdiction, which, in practice, devolves entirely on them; and no persons can be so fit to be intrusted with this task as the chief judges and superior members of the profession, without whose aid the whole direction of the house on legal subjects would devolve on the chancellor for the time being—a circumstance by no means to be desired. So introduced into the legislature, they are certainly not precluded by any law from entering into all the heat of politics: but it is equally certain, that in so doing they would forfeit much of the respect and reverence which is now paid to them; and it would be justly imputed to them as an impropriety of conduct, not considered as the necessary effect of their being admitted into the house of peers, if they should use the privileges of the peerage in a manner inconsistent with the dignity of the judicial character. The same reasoning applies to the privy council: the greater part of the business which comes before that council is of a judicial nature, and it is therefore necessary that persons of legal knowledge and experience should habitually attend on that body. Every privy counsellor is of course bound to afford his advice to his sovereign on all subjects upon which his majesty may think fit to call for it. On many points usually discussed in the cabinet, and not in the council at large, the assistance of the chief judges may be highly necessary, and to such an occasional recurrence for advice we do not object. But it does not follow from the right of the king to call upon every individual privy counsellor for advice as often as he shall see occasion, and from the obligation imposed upon such privy counsellor by his oath to advise when called upon, that it is an expedient or a constitutional exercise of the prerogative to summon a person who is made a privy counsellor in order that he may exercise judicial functions and be resorted to for occasional assistance on subjects of a special nature, to all the secret deliberations on state affairs, without any consideration of the purposes for which he was chiefly invested with the character of a privy counsellor: and it cannot, therefore, be contended, that the circumstance of a chief justice being a member of the privy council proves the fitness or propriety of his having a seat in the cabinet. The inconveniences that may arise from his being a permanent member of the government are many and obvious. But it is said by the right honourable gentleman, If a chief justice may not habitually advise his majesty on state affairs, why make him a privy councellor? and how did it happen that chief baron Eyre tried the prisoners for treason, on whose case he had previously decided in council? The first point has been already replied to; the latter will not appear to furnish the right honourable gentleman with any ground of argument, if the nature of the proceeding be fairly considered. Chief justice Eyre was not called to the cabinet to mix himself in politics, to connect himself with the administration of the day, or to exercise any political discretion whatever. He was summoned to the privy council at large as a magistrate; in that capacity alone he acted: his duty there was to hear the evidence against the prisoners, to decide whether it was sufficient to warrant a committal, and

and for what crime. His duty was in no respect distinguishable from that of any ordinary magistrate when a charge is brought before him. It never has been contended, that a justice of peace, by committing a prisoner, stood disqualified from determining on the charge as a grand juror, or of sitting on the bench as a judge. No reasonable objection can therefore be taken to the conduct of the chief baron. But if he had been consulted in the cabinet on the political expediency of bringing those persons to trial; if he had engaged in all the councils of government at that critical period, and had stored his mind with all the secret information which he would probably, have found there, bearing more or less on the cases of those prisoners; it would be monstrous to contend that under these circumstances, and with a mind so prepared, he could with propriety have been sent to sit in judgment upon the parties accused. In these reasons the practice of introducing a chief justice of the king's bench into the cabinet, as an habitual adviser of the measures of the executive government, appears to me to derive no countenance whatever from any analogy to be drawn from the introduction of that magistrate into the house of lords and privy council: as little can it be supported by the circumstance of the lord chancellor's being always a cabinet minister, though filling a judicial situation. In the first place, the chancellor is, *ex officio*, an executive officer of state measures. All treaties or instruments, with respect to our foreign relations, all grants at home, are sealed by him under his personal responsibility: it seems therefore indispensable that he should be a party to the councils of the government. But, except on trials before the peers, he exercises no criminal jurisdiction. He holds his office during pleasure: his political functions are not less prominent than his judicial duties: his existence in both capacities depends, like that of any other member of the executive government, upon the fate of the administration of the day. It is true that he is charged with judicial functions of the highest nature, but they relate not to the life or liberty of the subject; they are of a description much less likely to be exercised, or (which is not less material to the present question) to be suspected of being exercised, under any political bias, than those of the chief justice. Decisions on property seldom attract the attention, or rouse the feelings, of the public. The struggles of party have no connection with civil suits. The chancellor could but little serve the purposes of his party, or gratify his political resentments, by unjust decisions in his court. Besides, the suitor has always an option of carrying his cause in the first instance before the master of the rolls, a judicial officer, holding his situation like any other judge during good behaviour; and there is always an appeal open to the party from the decision of the chancellor to the house of lords. In the exercise of a criminal jurisdiction there is a wide difference. In such courts cases constantly arise which call forth the passions of the people. The judge who presides on such occasions can no otherwise hope to command the respect and confidence of the public, than by standing unconnected with the questions which come before him, and totally unconcerned in the event of the proceedings. But to pass on for the present

present from the consideration of the effects of this measure upon the character of a common law judge, should such a judge unfortunately be inclined to carry his party feelings and resentments with him to the bench, he certainly could apply them to purposes of oppression with much less control in criminal than in civil cases. A right honourable and learned gentleman (Mr. Bond) says, What has the chief justice in such cases to do but to declare the law, possibly aided by some of his brethren, the jury deciding on the fact? But, independently of the influence which the summing up of the judge must necessarily have upon the verdict, the right honourable gentleman forgets that to the judge exclusively belongs the determination of the quantum of punishment in cases where it is discretionary; and as in the infliction of fine and imprisonment there is seldom any precise standard, or any fixed principles to resort to, it is obvious that in no exercise of the judicial authority may abuse more easily prevail, or (which is hardly less mischievous) will it be more readily imputed. Being unable to sustain his argument either on the ground of precedent or by any analogy, the right hon. gentleman endeavours at once to get rid of the motion, by assuming that there is no such body known to the law or constitution as a cabinet council; that responsibility cannot attach to the individuals composing such a body; and that the constitution knows no responsibility, except in those executive officers of the crown, who in their respective departments carry the king's orders into execution. However it may suit the purposes of his present argument, I apprehend the right hon. gentleman would have been very little disposed, when he was himself out of office, to listen with patience to such a statement from a minister of the crown. What would he have said, if my late right honourable friend (Mr. Pitt) had disclaimed all responsibility on account of the late confederacy on the continent, referring his opponents to my noble friend in another house, (Lord Mulgrave,) as being alone responsible for all such measures, with the addition, perhaps, of the lord chancellor, who affixed the great seal to the treaties? Would any minister have availed himself of so contemptible a subterfuge, or would the house have endured such a doctrine? Is not the cabinet, in the modern practice of the constitution, as well known to parliament, as if the existence of such a council had been an object of express legislative provision? Have not the members of the cabinet been always considered by the country, and have they not always considered themselves, whatever might have been their offices, or even if they sat there without office, as both individually and collectively responsible for the measures of government? It may frequently be more difficult to establish the fact of the participation in the guilt of any criminal measure against the minister who has only advised, than it would be to prove it against the minister who has executed it; no other evidence being required in the latter case, than the order or instrument by which the criminal act has been either directed or performed. But the greater or less degree of difficulty which may attend the proofs of the fact in particular instances, cannot affect the general question of responsibility. Independently, however, of the application of the right honourable

gentleman's argument to the present question, it is of no small importance that the country at large, and that Europe, should be informed, whether the cabinet council, generally, with the noble lord (Grenville) at its head, is to be considered as responsible for all the measures of government; or whether those alone who carry into execution the respective acts are answerable. It is right that it should be distinctly understood, whether the only security we have for the administration of foreign affairs, on wise and sound principles, is the right honourable gentleman himself; whether the military system of the country is exclusively committed to the separate responsibility of the secretary of state for the war department; and whether the first lord of the treasury's responsibility is in the present administration to be really viewed upon all questions not immediately relating to that department, in no other light than in that of an ordinary privy counsellor. If the right honourable gentleman has failed in divesting lord Ellenborough of the responsible character of a minister, summoned, as he is acknowledged to be, habitually, and not occasionally, to the deliberations of the cabinet; if he has failed to disprove the obvious inconveniences, to say the least of such an union of incompatible functions in the same person, which must perpetually compel him to abandon his duty, either as a minister or as a judge; if he has failed to produce, either from precedent or analogy, any adequate arguments to sustain a practice so obviously injurious; as little has he succeeded in establishing any sufficient grounds, either of expediency or necessity, to justify, in the instance immediately before us, the adoption of a measure which is open on general principles to the strongest objection. And first, as to the necessity of it: Admitting, which I am perfectly ready to do, the personal qualifications of the individual for such a confidential trust, will the right honourable gentleman contend that, without recurring to the king's bench, it was not possible for them to form their government? Will he maintain, that at least adequate qualifications for the cabinet might not have been found in some other quarter? I am certainly not one of those who have discovered that the present administration comprehends all the talents, all the experience, all the respectability, or all the virtue, of the country. Would it not, on the contrary, be to disparage them unjustly, to suppose that this comprehensive union of parties did not in the whole extent of the various connections of which it consists, afford the means of supplying lord Ellenborough's place, leaving him at liberty to pursue the duties of his own high situation? Can the right honourable gentleman, in justice to his own chancellor, assert, that without the introduction of lord Ellenborough the cabinet would have been destitute of adequate legal abilities? Will he contend that the addition of the learned lord's political and constitutional knowledge was absolutely requisite to the constitution of the government? To the sound constitutional principles of the noble and learned lord I beg to be amongst the first to bear testimony. His presence in the cabinet is certainly a circumstance which creates confidence, and not distrust, in my mind. Were he there without prejudice to what I must deem duties of superior importance, I should rejoice at his appointment;

appointment; but I cannot persuade myself that his place might not have been supplied by others equally entitled, on general constitutional grounds, to my confidence, who appear to have been unaccountably excluded, whilst his lordship has been most unnecessarily included, in breach of constitutional policy, if not of law. If the appointment is not sustainable on the grounds of necessity, it appears still less capable of being supported on considerations of policy or expediency. Can the right honourable gentleman contemplate the judicial system of the country; can he advert to the wise principles upon which it has been framed and improved; the care that has been taken to render the situation of a judge, not only independent of every influence, and especially of that of the crown, but to consider them as a distinct order in the community, to which the nation might look up with unlimited confidence, as entirely devoted to the distribution of justice, and removed from the political cabals or party struggles of the times? Can we thus contemplate the dignified and useful situation of a judge, acting within his proper sphere, and deem it either of light importance, or of little danger, to call upon a chief justice to descend from such an eminence, for the purpose of involving himself in all the confusion and vicissitudes of political life? What estimate the right honourable gentleman is prepared at this moment to form of the confidence or popularity which attaches to the present administration, it is not for me to surmise; but whether he is disposed to feel more or less sanguine upon this point, I am sure he has known too much of political life, to take for granted, that it may not, in process of time, and perhaps at no very distant period, become not only unpopular, but odious. Why, then, in the eyes of the nation, are the character and influence of our first criminal judge, in short, all his best means of doing good, to be unnecessarily embarked in the frail and uncertain state of this or any administration? Why is he to be thus exposed to all the jealousy, to all the hatred, to all the reproaches, frequently most unjust, which those in high political station are doomed to suffer? As long as he remains on the bench of justice, abstracted from such struggles, whatever errors he may commit, however he may find himself compelled to act in opposition to the popular feeling, his conduct will be regarded with confidence, and even his mistakes will be respected; all parties will concur in upholding him: but let him once assume the character of a party man and a politician, let him once embark in the same bottom with the administration of the day, and he is immediately exposed to all the rancour, to all the fair censure, and to all the illiberal and unjust reproach to which governments are exposed: these popular prejudices will pursue him into the courts of justice, and he will there find suspicion and insinuation substituted for that confidence and reverence which attended on him while he was only a judge. Upon the whole, I consider the removal of the chief justice of the king's bench from his natural and proper functions, for the purpose of converting him into the mixed character of judge and politician, and of making him necessarily a member of a party, to be a most unwise, and, if persevered in, a most unjustifiable proceeding; that it is in the present instance to be defended on

no grounds of necessity, or even of apparent political expediency; that it is a practice not to be supported by any analogy known to the constitution; that the only instances from statute which can be argued in any degree to countenance it, are of imperfect authority in themselves, and are laws of a special nature, standing upon their own grounds, rather forming exceptions, than tending to establish a general rule; and that the only direct precedent, namely, that of lord Mansfield, amounts, when considered with all its circumstances and consequences, to a condemnation of the measure. I deprecate the practice, as calculated to raise a feeling with respect to the judicial system of the country, which perhaps, with the exception of the period when lord Mansfield presided on the bench, has never, at least in modern times, been known to exist. In all the difficulties and dangers to which the establishments of the country have been exposed, the purity of the administration of justice has never been made a matter of question: the bitterest enemies of the constitution have never ventured to utter even a suspicion against it. It is that part of our system which in the eyes of every foreign nation most exalts and distinguishes the country; it is that, the value of which is most felt at home, and is calculated, from the universal sense of its approach to perfection, and the attachment which it commands, to protect and preserve the whole. Will then the right honourable gentleman, for purposes of party or personal convenience, venture to break in upon such a system? Can he pretend to say that its existence does not, above all other circumstances, depend on the independence of the judges? or could he point out any mode by which it is more likely to be seriously brought into disrepute and suspicion, than by making the judges politicians, and by re-placing them in any degree under the influence of the crown? I am satisfied that the public opinion was never more decided on any question than on the present. Whatever may be the result of the present discussion, the more the subject is examined, the less disposition there will be to persevere in it now, or to venture to recur to it at a future day. On these grounds I have felt it my duty to state fully my sentiments on the question, and I cannot conclude without expressing to the right hon. gentleman my conviction that he will find no reason to felicitate himself upon the part he has taken upon the present occasion; that, in proportion as the subject is canvassed and understood, the deliberate judgment of the public will be against him; and I think I may venture to assure him, that whatever political sins, either past or future, he may have to answer for to his country, for none will he find them less disposed to forgive him than for thus lending himself to a measure, the tendency of which is to break down the principles upon which the sure administration of public justice, and consequently the liberties of the British nation, pre-eminently depend.

Lord Henry Petty and Mr. Sheridan spoke against the motion; Mr. Perceval and Mr. Wilberforce were for it, the latter of whom spoke at great length on the subject. The question was then called for and the house divided: for the motion 65, against it 222.

CHAPTER III.

Debate on India Affairs—Mr. Francis's Motion relative to Money said to have been lent to Gwicowar—On Mr. Paul's Motion for certain Papers—State of the Military—Mr. Whitbread's Motion for a Return of the effective Volunteer Force—Bill for increasing the Number of foreign Troops—Discussion relative to the intended new Military Plans—Committee of Supply—Ordnance Estimates, and Debates occasioned by them—Mr. Windham's Plan of Defence stated, and Debate upon it.

THE affairs of India, which have, of late years, become of the utmost importance to the welfare of this country, occupied much of the time and attention of parliament during the sessions: the motions of Mr. Francis and Mr. Paull, stated in this chapter, were but preludes to longer and still more interesting discussions on the same subject. From these, we have been led to some very interesting debates on the state of the military, and to the development of Mr. Windham's plan of defence, which had been looked for with much anxiety, as well by the friends as by those inimical to the existing administration.

Mr. Francis rose, pursuant to notice, to move for the production of a document, which, he said, was at once of considerable importance and curiosity. But yet, as it related to a subject which appeared not to excite much interest in that house or the country, it might not excite adequate attention. He did feel indeed that the subject seemed to be not only disgusting in itself, but that he had to contend with an unwilling audience. This he justly conceived too much: still for five-and-twenty years he was irresistibly impelled by a sense of duty, by a consciousness of necessity, to bring the affairs of India before parliament and the country. India was every day becoming more formidable to this country, and every thing that related to our possessions in that quarter imperatively claimed the regards of parliament. The question which he had now to submit to the consideration of the house did not refer to war or peace, or to any topic of Indian policy: it was merely a point respecting finance, and was perhaps not a bad preface to the consideration of the motion of which an hon. gentleman (Mr. Paull) had given notice for that day. Motions of this nature the honourable gentleman conceived to be particularly necessary, in consequence of the irregular manner in which the accounts respecting India were laid before the house, or rather by the neglect, for some time, to make any official communication whatever from that quarter. No budget, it was to be recollected, was at all brought forward last sessions, and the noble lord who then presided over the board of control, accounted for that singular omission (nothing similar to which had ever occurred before, since the board of control was instituted) in this singular way, namely, that the necessary accounts had not arrived from India. This was certainly strange, and he recommended it to the particular attention of his majesty's present ministers. Since the end of March,

1803, no statement had been laid before parliament of the situation of the finances of India, which was, notwithstanding, known to be alarming. If he were to ask the reason why necessary accounts did not arrive in due time to enable the minister for India to bring forward the India budget last year, it would not surely be answered that those accounts were not sent from India in due time; for any such delay would involve the direct breach of an act of parliament. But if it were said that the dispatches were intercepted, that the ship which carried them was captured, and thus that our financial account fell into the hands of the enemy; then another question would arise. It was notorious that every captain intrusted with the conveyance of public dispatches to Europe is enjoined, by order of council, to have such dispatches suspended from out of the cabin window, with a lead attached to them, in order that when the ship should be in danger of falling into an enemy's hands the dispatches should be immediately thrown into the sea. If this salutary order had not been entirely discarded, he could not, by the way, conceive how it happened that so many important communications from India, both of a public and private nature, should have been intercepted by the enemy. He was the more surprised at this, when he considered the consequences which had resulted from the frequent loss of public documents from India; with the nature of many of which, and consequently with the state of India itself, we had of late years so often become acquainted through the press of Bonaparte. This was productive of serious injury to our interests, and the cause ought to be seriously inquired into. No man indeed could deny the importance of inquiry and explanation, respecting a country which yielded an annual revenue of between fifteen and twenty millions; and yet he recollected, that in the course of the last session, in the month of January, he and the noble lord opposite (Castlereagh) could scarcely get above twenty members to attend to the discussion of its interests. The hon. member, referring to the subject of his motion, observed, that it was connected with the Mahratta war; and, as he had before stated, he expected to have seen it explained in the printed papers before the house. But disappointed in that expectation, and finding no mention whatever made of it, he felt it necessary to move for the production of a special document to explain it. In the country of Guzerat, to the north-west of Bombay, there is a prince called Gwicowar: a part of his territory has been ceded to the company, partly to make good the pay of our subsidiary force stationed at Poona, and for other objects of indemnification. Out of that fund we ought to have received a considerable revenue; but to that prince the government of Bombay have lent a sum not much less than 360,000*l*. The documents relative to this extraordinary transaction, I think, ought to have been laid before the house. The question naturally arising out of it, which I should wish to put, is, upon what ground this loan was made by a distressed company, and particularly by Bombay, which is by far the most distressed presidency in India. In the papers that have been printed, I cannot find any thing to throw a ray of light upon the subject. The company take possession of the territory

tory of Gwicowar, they hold it in his name, and the first thing done is to lend him 360,000*l*. Why, on the very face of the transaction there was something very singular, and which called for explanation. The words of the official dispatch from Bombay, relative to this prince and territory, were these—"This state," we are told, "has for its present native ruler, a chieftain of avowedly weak intellects. Our support therefore must be extended to all the operations of its government; holding as we do the immediate charge of the Gwicowar chieftain's own guard, and dividing with his troops the garrison of his capital." This money, therefore, could not be necessary to the support of this prince, all the operations of whose government were in our hands. No, it could not be wanted or advanced for any such purpose. Was there any man, he would ask, who believed that Gwicowar ever received a shilling of this loan? If there was really such a man, he could only say that that man knew nothing of the politics of India. The hon. gentleman concluded by moving, That there should be laid before the house extracts of any letters or accounts received from the presidency of Bombay, relative to the sum of Bombay rupees, 31,25,944, inserted in the account of their disbursements for the year ending the 30th of April, 1803, and said to be money lent to Gwicowar.

Mr. H. Addington said, that had he been a member of the house the preceding day when the notice of this motion was given, he would have taken the liberty of asking the honourable gentleman to postpone bringing it forward, until the board to which he (Mr. Addington) had the honour to belong should have an opportunity of considering the subject, and inquiring into the nature of the papers connected with it. This indulgence, he hoped, the honourable mover would not be disinclined to grant to a board so recently appointed. The application would not, he trusted, be deemed unreasonable, when the nature of the business connected with their office was taken into view—when it was considered that it might be necessary to look over a number of papers, which the noble lord on the other side (lord Castlereagh) knew to be pretty voluminous, before an opinion could be formed, whether it would be consistent with the public interest to accede to the object of this motion.

Lord Castlereagh was as ready as any man to acknowledge the debt of gratitude which parliament and the country owed to the honourable mover for the zeal and assiduity which he had uniformly manifested upon the important subject of our interests in India. But in order to enter into that consideration, every part of the subject should be laid before the house. The whole of the question should be completely understood. With respect to the assertion, that the India budget not having been brought forward last session was a singular and unprecedented omission, he begged leave to set the honourable gentleman right, for precisely the same omission occurred the session before he entered into office (as president of the board of control). But as to the cause of the last omission, of which the honourable gentleman had complained, it was known to have proceeded from the delay of the accounts from India, which were indispensably necessary to the prepa-

ration of the budget, and the same cause occasioned the omission which took place before he entered into office. As to the motion before the house, he saw no objection to the production of the paper referred to. When that paper should be laid before the house, and the transaction to which it alluded should be fully understood, the impression on his mind was, that the honourable mover would find the loan not to have been improvidently advanced—that it was not money lent without a just motive or without ample security, but, on the contrary, that land was assigned to the company to ensure the repayment of this loan, and that this land was placed under the company's own administration. After a few words from lord Morpeth and Mr. Grant, Mr. Francis withdrew his motion.

Mr. Paull then rose to make the motion of which he had given notice, and he entreated the house to attend to what he humbly but honestly should submit to them. He was not one of those who subscribed to the congratulation on the prosperity of the affairs of the India company. He could not be a party to the blind confidence of that house, and of the country, which had contributed to the growth of an enemy more dangerous to this nation than all the flotillas assembled on the enemy's coasts. In the first week of the session he had given notice of a motion for an inquiry into this subject. He had since moved for the production of a letter from lord Melville, in 1793, to the court of directors, on the subject of the India company's debt. When the accounts of the death of marquis Cornwallis had reached this country, he had said that the sun of English power and glory had set in India. His motion for the inquiry had been delayed in consequence of the situations of the house and the government. As soon as the papers which he should that day move for should be produced, he would bring forward his motion for a committee of inquiry without delay. These papers would not take up much time in preparing, or in reading, for his motions would be answered by six simple negatives. The non-existence of such documents would prove a gross violation of law, by which it would appear that twenty millions had been misapplied. The act of 1793, which was stated to be an act for the regulation of forty millions of subjects, and of an immense revenue, and had been brought forward by lord Melville, had been violated in every instance. By this bill it was enacted, that one million a year of the territorial revenue should be applied to procure investments for commercial purposes to be imported into this country, and bring with them all the advantages to be derived from the importation. Since 1798, no such application of a million had taken place. The act also provided for the reduction of the debt of the company to two millions, and 500,000*l.* were directed to be applied to that use and no other. No such sum had been so applied; which had caused a misappropriation of a sum of eight millions, one million more than the amount of the debt at the passing of the act. Another clause in the act provided for the increase of the dividends to ten per cent. out of the profits on the investments; and this clause, which would have been much better kept in the breach than the observance, was the only one that had been fulfilled. The in-

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crease of the dividend was to take place out of the produce of the commerce, and there could be no such profits whilst the investments were made by loans negotiated in India at an interest nominally of 10 per cent. but really at 15. By this a misapplication of 3,500,000*l.* had taken place. The next clause provided for the payment of 500,000*l.* annually to the public, which had never been carried into effect. On this score alone there was a misapplication of 7,000,000*l.* which, if paid regularly, would be sufficient to extinguish 35,000,000*l.* of the national debt. The act also directed, that if the sum could not be paid, the court of directors should make a representation to his majesty's chancellor of the exchequer, to be by him laid on the table of parliament, in order that the house might judge of the validity of the representation. After the sums directed to be applied to the reduction of the debt, and in discharge of the participation of the public, the remainder of the profits was to be applied to the purpose of a guarantee fund till it should amount to twelve millions, to cover the capital of the company; yet no such fund existed. Besides the men sent out, it appeared that bullion, or specie, to the value of seven or eight millions, had been sent out for the reduction of the debt, and yet not a shilling of it had been applied to that purpose. As soon as the returns should be made to his motions, he should move for the appointment of a committee of inquiry. By this gross mismanagement, the debt, which ought to have been reduced to two millions, was now thirty millions abroad, at home it was twelve millions, and seven millions to the public. He concluded by moving, that there be laid before the house an account of all the sums that had been paid by the court of directors of the India company, pursuant to the third section of an act of the 33d of his present majesty, chapter 52. On the question being put,

Lord Castlereagh did not mean to follow the honourable gentleman through all his matter, but trusted the house would indulge him whilst he said a few words in reply to some of his positions. He could not sit still whilst the honourable member suggested that there had been a misappropriation of the company's money to a great amount, and that that misappropriation had in part taken place whilst he had been himself in office. The honourable member would excuse him in saying, that he appeared either not to know, or to have hastily read, the act which he had quoted. The honourable gentleman seemed to confound two points that ought to be kept separate and distinct, the commercial and political interests of the country. As to what he had said of the exportation of bullion, that was a subject on which much prejudice had formerly prevailed; but such prejudice was now done away, as it had been latterly found that the exportation of bullion, under such circumstances, was most profitable and advantageous to the company's interests. The honourable gentleman had also confounded the appropriations abroad with the funds at home. The act provided not for the liquidation of the debt abroad, but for its transfer to Europe. The gentleman seemed to think that this house could control the revenue in India. This house could certainly provide how any surplus that might arise should be applied, and that was all that in common sense it could do.

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The first appropriation was for the military expenditure, the next for the civil establishment, and then for the investments and the reduction of the debt. He should first inquire if there had been any surplus, and in what year, before he could complain of a failure in complying with the act. The honourable gentleman attached blame to the India company, for not having made any representation to his majesty's chancellor of the exchequer, on the subject of the sums to be appropriated under the act. But the act required such representation only in case a surplus should exist, and peculiar circumstances should render a literal compliance with the act inexpedient. He was prepared to prove, that all his statements on the budget of 1802-3 were well-founded, and that the finances of the company were then in a flourishing state, before the commencement of the Mahratta war.

Lord Folkstone supported the motion of Mr. Paull, and thought that the inquiry ought not to be confined to the two last years. The act of parliament was considered by him as an agreement, and on a breach of any of the covenants the exclusive rights should be forfeited by the company. The noble lord then commented, with much ingenuity, on the different clauses of the act, corroborating the positions of the honourable mover. If the act had been violated, such violation ought to be accounted for. This could be best judged of by referring to the act itself.

Mr. Francis had heard many extraordinary statements in that house, but never any so extraordinary as those he had heard from the noble lord (Castlereagh) that night. The first related to a matter of fact, for the proof of which he appealed to the directors, whether or not they were free in their commercial speculations. They were men of honour, and would not deny the fact; and even if they should, he should on another occasion state his reasons for doubting such a statement. The proof he could appeal to was a letter of the secretary of the board of control to the directors, stating, that the board could not allow certain investments to take place, as they might cause uneasiness to the governor general. This letter they had published. So much for their commercial freedom. Neither were they free agents as to political matters. The noble lord had then stated, that the exportation of bullion was advantageous to the commerce of the company. Bullion to pay for investments which should be provided by tribute, without any expense! He appealed to any merchant in the house, whether such a circumstance could be advantageous, whether any country that paid its balances in specie had not the advantages of trade against it. But the bullion was sent out to reduce the debt, and he asked whether it had been so applied? No man could think it. Thirteen years of the charter had now elapsed, and no surplus had ever existed. The noble lord said the funds had failed. Why had they failed? That was what they wanted to know. If there had been no surplus, the whole act had been a nullity and fallacy, as he had stated it would be to Mr. Dundas when he proposed to bring it forward. He would show before this business was over, that he had been from the beginning the real friend of the company. The company were the victims,

victims, not the authors, of the system that had been followed. He acquitted the company of every charge, but that of having omitted to come to parliament to state the facts, when their debt had been increased beyond all moderation, and the act of parliament violated in every respect. The noble lord stated the Mahratta war in excuse for neglect of the act, as if the Mahratta war were a merit. He would again call the attention of a supine parliament, and a careless public, to a subject so truly important. The noble lord opposite had represented the affairs of the company as most prosperous in the year 1803. If they were, why had not the engagements of the company been fulfilled? why had not the company's debt been reduced to two millions, in compliance with the act of parliament, instead of being accumulated to 30 millions as it was? These things called for attention; for the difficulties of the company, if not looked to and remedied in time, would ultimately fall on the country. His endeavours to serve the company had been uniform and anxious; their consideration, unwilling, ungrateful, and unfeeling. Many years since he had recommended to them to renounce the sovereignty of the Indian territory, a sovereignty which had long been but nominal, and in fact ruinous to the company's interests. What was the use of territorial acquisition to a commercial body, particularly where their political sovereignty was but nominal? In a few years the Bengal investment was obtained for nothing; that is, it was furnished from the revenue of the province. But unhappily this facility led to habits of extravagance, in consequence of which every shilling's worth of investment must at present be purchased with funds sent from home. Thus the result of territorial acquisition, in a country where they had been admitted only as traders, was a losing trade; and now the only part of the company's trade that did yield a profit, was the trade with a country where entrance was denied to them (China).

Lord Castlereagh and Mr. Francis explained.

Mr. C. Grant begged leave to advert briefly to several points which had been noticed by gentlemen on the other side. The hon. gent. over against him (Mr. Francis) had given it as his opinion, that the East India company ought to have given up the sovereignty of India, and confined themselves entirely to their commercial regulations. But he differed widely from him on that subject, and asserted, that whenever the government of India should be taken into the hands of any administration whatever, the constitution of this country would be in the utmost danger. The country had been gained by the East India company, and since their charter had been granted they had managed it with a view to the advantage of our dominions at home, and that of India itself, as well as to their own. He touched upon the great advantages that had resulted to this country from the great fortunes which had been brought into it from India, and from other causes. There had been once the best founded hopes that the company would have been able to have added a considerable sum to the revenue of this country, but unfortunate events had, for a time, destroyed these hopes. They certainly had not been destroyed from any fault of the company; for,

for, from the time that marquis Cornwallis undertook the management of the affairs of India, a plan of the utmost œconomy had been established and agreed to by them. With regard to the question about the dividends, it had been said that they arise, not from the profits of trade, but from money borrowed in India. This, however, he contended was not the case. As to the exportation of bullion, it was merely an article of commerce, like any other article, and it was found more advantageous to carry on their commercial concerns in this way rather than by barter. Europe, in its commerce with Asia, had been generally obliged to make payments in bullion, because the habits and customs of the Asiatics were such as to prevent them from feeling as much want of those commodities which we could send them, as we did of theirs. They had less occasion for our productions than we had for theirs. He did not deny, however, that bullion had been sent out to pay part of the debt; but the war had absorbed the specie so sent. With respect to the freedom of the company in regulating their own commercial concerns, this was a delicate subject. The law was, that the company should have the complete direction of India affairs, subject to the control of the superior board. He had no hesitation in saying, that no interference had taken place in their common commercial concerns, though certainly in difficult cases, and those which were partly of a political nature, such as the question of private trade, there had undoubtedly been an interference. The military, financial, and political concerns had certainly been managed by the commissioners. As to the debt of the company, it had arisen chiefly from the wars which had broke out in Europe and India. What was its exact amount he did not know at present. Probably it was above twenty-seven millions; it might be thirty, as had been stated; and he allowed, that if it was to go on accumulating in this manner, the consequences might be serious to the company and to the country at large. But no blame attached to the company or to the administration. The enormous increase had arisen from events which they could not control. He had heard of a motion for a committee to inquire into the rise and progress of the debt. But this was not necessary, as the whole might be clearly perceived from the accounts. Such a measure would spread alarm among our friends, and might give confidence to our enemies. This, he thought, was to be avoided when there was no pressing necessity for it.

Mr. Francis, in explanation, observed that he had never given his opinion prospectively, as if he meant to say that the mode of conducting the government of India ought now to be altered.

Mr. secretary Fox observed, that the few words of explanation which had just fallen from his hon. friend rendered it less necessary for him to enter particularly upon this subject. He had understood him precisely as his explanation imported. He agreed that we were not now to revert to original theories; but when we were examining into the causes of important events which were extremely complicated in their nature, it was somewhat difficult to do so without, in some measure, adverting to such original theories. He, however, did not mean to say that any alteration ought at present to take place

in the general system of Indian government as now by law established. He had occasion to state, at a former time, that there was a wide difference between disapproving of measures at their commencement, and afterwards rescinding them when they had been some time in practice. This he had said with regard to the union with Ireland. He had also disapproved of the plan for the government of India; but what he had said with regard to the union with Ireland, he now said respecting this plan of Indian government. It was, in his opinion, a bad one from the beginning; but as it had been adopted and acted upon, it was not now to be lightly rescinded. In ninety-nine cases of this nature out of a hundred, it was better to put up with many inconveniences arising from the first adoption of a measure, than hazard worse evils by premature and ill-considered alterations and innovations. This was his opinion. Now with respect to the details of this debate, he, speaking on the part of the public, would certainly say, that it was a most monstrous proposition to assert, that in the year 1803 the state of the company was highly affluent and prosperous. To be sure, the act of 1793 only applied to the surplus of the produce. But then it supposed that such a surplus was likely to exist, otherwise it would have been perfectly nugatory from the beginning. We were surely to conclude that there might be a surplus in such case. This certainly was not too much. But when we find that from 1793 to 1803, a period of ten years, no surplus had in fact existed, and that nothing had been done on the provisions of the act of parliament, such a long experience might be sufficient to convince us that the affairs of the company had not been in the very flourishing state in which they had been asserted to be. But we must say, after the passing of this act, and the long time that had elapsed, during which nothing had been done upon it, that the fair conclusion was, either that the surplus had been misapplied, or that the country had been most grossly deluded; and that instead of being in a flourishing condition, as had been pretended, the affairs of the company had in fact been in a most alarming situation; a situation which ought to have been explained and laid open to the public, instead of being carefully concealed from the public view. In his opinion, the unprosperous condition of the company's concerns had never been sufficiently accounted for. He did not say that he had heard a great deal on the subject, but what he had heard, in general, proceeded on false facts and false principles. We ought to have the accounts of the company before us, with a view to a full and complete examination, not for the purpose of retrospective inquiry into the conduct of the managers of the affairs of India, with the intention of throwing blame upon any body, but for the purpose of warning us (the present administration) against the errors which others had committed. No objection had been made to the motion of his hon. friend near him (Mr. Francis). He had only been requested to postpone it upon a point of convenience; to which he had properly agreed. Before he sat down he could not avoid paying that tribute of praise to the industry, perseverance, and clear-sighted policy of his hon. friend, on questions relative to India, which

which they so much deserved. No merit belonging to any other who had turned his attention to these subjects, however high it might be, could possibly be put in competition with that which his hon. friend might fairly and justly claim.

After a long debate, in which several other members took a part, the papers moved for were ordered.

Mr. Whitbread on the 27th of February moved for a return of the effective volunteer force: he thought there was no subject on which it behoved the house and the country to be more completely informed than this. They had been buoyed up with the most magnificent descriptions of the state of the voluntary defence, and it was expedient to ascertain the actual fact. It was of the utmost importance, previously to the sums being voted for the clothing and expenses of the volunteer establishment, that the house should know what number of men were likely to take the field in case of emergency. He knew that his honourable friends would give the subject all the attention that its great importance demanded, and he should leave it with confidence in their hands. He should wish, not only that the number of effective men should be clearly ascertained, but that the rank of the officers should likewise be considered and arranged. He was himself in the command of a volunteer corps, and he was solicitous that neither he, nor any other officer in a similar situation, should be circumstanced in that particular in the way in which he now was. He concluded with moving that the actual returns of the different volunteer corps &c. &c. &c. be laid before the house.

General Tarleton supported the motion: the volunteers, he said, and the public at large were anxious to know whether any new measure of defence was to be adopted. It was now the period at which a campaign usually commenced, and this, added to the dangers with which the country was menaced, pointed out the necessity of expediting as much as possible any military plans that might be in contemplation. The motion was agreed to.

By a former act his majesty's government was allowed to retain to the number of 10,000 foreign troops in Great-Britain:

The secretary of war now stated, that the recruiting of the German legion had occasioned an increase of three thousand men more than was permitted by that act; he therefore wished for leave to bring in a bill to extend the provisions of the act from 10,000 to 16,000.

Ever since the new administration had accepted their situations, it was generally expected that Mr. Windham, who was known to be inimical to the volunteer system, would supersede that system by some other effective military plan of defence. On the 5th of March Mr. Long, seeing Mr. Windham in his place, asked when he would be ready to lay before the house his plan with respect to the military. His object in putting the question was, that time was very pressing in consequence of the suspension which had taken place in the progress of those arrangements, and particularly in Ireland, to which the right hon. gentleman was known to be adverse.

Mr. Windham said that on a proper occasion he should not feel the slightest objection to answer such a question, but the hon. gentleman talked of a plan to be submitted to the house: What plan? He had given notice of none, and

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therefore it was surely irregular to mention one as expected from him. He would not certainly be led into a premature avowal of the measures that might be in the contemplation of government, by any question that curiosity might dictate, or that might be prompted by any views to excite the impatience of the public. He admitted that the dangerous state of the country, and of the defence of the country, had been, as they must be supposed unavoidably to have been, a chief object of attention with ministers from the first moment they entered upon office. The urgency of the case was most strongly felt, and so also were the difficulties which attended the attempt to answer that urgency. Assuredly no delay would take place, but government had determined not to bring forward any measure, without ample consideration; still he hoped that the period was not very distant when the measures in contemplation would attain a maturity which would justify their being submitted to the consideration of the house.

On a similar subject Mr. Canning rose to inquire, whether the notice with regard to the additional force act was meant to be followed up. The reason for putting this question was, that, while any suspense prevailed as to the intention of ministers, this act could not have its full effect: indeed it had already ceased to operate in many parts of the country.

Mr. Windham, in reply, said that in any military arrangements which he might have the honour of submitting to the house, the act alluded to would certainly have no place.

Lord Castlereagh on the 7th of March made ten motions relative to the effects of the additional force act, which were carried without opposition, and with very little comment. They related to the number of men raised under the additional force act:—to copies of certain letters on military affairs:—for a return of the number of men raised by the recruiting service since the 1st of Jan. 1801, and for a return of the effective strength of the military from the same period.

After a motion made by Mr. Whitbread on lord Melville's impeachment, to which we shall refer in another chapter,

General Tarleton adverted to what had fallen on a former evening from Mr. Windham. When called on to state his sentiments and determination, relative to what had been called the parish bill, that right hon. gentleman had declared that it occupied no place in the means which he had in contemplation for increasing the military force of the country. Although he had been adverse to the introduction of that bill, and had voted against it, yet now, when it began to operate and produce two or three hundred men a week, he should be unwilling to repeal it, until some very efficient substitute had been provided. These sentiments were strengthened by the consideration that the declarations made by government, of their intention to repeal the act, had caused it to operate under a very great disadvantage. Another part of the right hon. secretary's conduct on which he commented, was the hostility which he manifested to the volunteer system. This certainly was not the precise time at which it was expedient to damp the high spirit of those corps, and the officers by whom they were commanded. The observations of that

right hon. gentleman were not at all calculated to increase the ardour and enthusiasm which in military men were so indispensable. We had now arrived at the 7th of March, and had heard nothing but what had been wrung from him by necessity. When he was on the opposition bench, he was always pregnant with schemes, but since his admission into power nothing had proceeded from him. These were not times, however, for mere speculation; the country did not want theorists, orators, or metaphysicians, but practical men who were able to serve her, and who were willing to exhaust their talents and shed their blood in her service. One of two things must be done; either another continental coalition must be formed to divert the efforts of the common enemy, or this country must be quickly prepared to make a formidable resistance to the danger by which she was threatened.

Mr. secretary Windham observed, that with regard to the volunteer system, he was not at liberty to enter into any justification of himself; it was not, therefore, fair to bring charges against him when he was precluded from answering and repelling them. He had been blamed for delay. Delay was a relative term: what might appear as delay in one point of view, might assume the semblance of precipitation in another. The gallant general seemed desirous of carrying the ardour and quickness of decision necessary in the field, into the cabinet. But for himself, he could not consider that time misemployed, which was devoted to the serious consideration of the important subjects alluded to; a consideration, assisted by the opinion of all those who were most competent to judge of the comparative excellence of different measures. As to the effect that his sentiments might have on the country, how was he culpable? He was in a manner compelled to declare his opinion of the general defence act. Did the hon. gentleman wish him to utter a false declaration? His opinion of its demerits was just the same as it ever had been, and he was bound to say so.

After some further discussions by the same gentlemen and Mr. Canning, the house went into a committee of supply, when 134,473 men were granted to his majesty, with a sum of money for the maintenance of the same.

When the subject of the ordnance estimates was reported, on the 17th of March,

General Tarleton made some observations; of which, the first referred to the additional force act; which, notwithstanding the ridicule thrown out against it, he understood had been extremely productive for the last six weeks, particularly in distant parts of the country where its operations had not been paralysed by the rumour of the intended change. The volunteer system had also been derided by the right hon. secretary, and yet he had brought nothing as a substitute in its place. He had been a military man for more than thirty years, and had seen some service, but his ideas of conducting war were very very different from those of the right hon. secretary; through whom, instead of that activity which the urgency of the times demanded, our military preparations were standing still, or even retrograde. The estimates now before the house were the same with those of last year, and no improvement had taken place upon them; but he

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was convinced, had a late distinguished minister lived, they would ere now have undergone much alteration. The battle of Trafalgar had made a great alteration in the state of the country; its effects were most decisive. The enemy might build ships, but these were no better than toys while they wanted seamen to man them. This victory had placed the country in a state of comparative security; but we ought to look at the opposite harbours of the enemy, and to the flotilla that threatens our shores. In the event of the enemy's landing, though the best military situations would be taken, yet he could not but object to Woolwich being the only depôt of arms. He conceived that a central depôt should be established in the heart of the kingdom; because, if the enemy were to effect a landing, it might be necessary to fight a battle for the protection of Woolwich, under disadvantageous circumstances. But were the great depôt removed to the centre of the kingdom, no such necessity could happen, and no man would fight with less ardour for such a precaution being adopted. But should the enemy gain possession of the south, he trusted that the bravery of the north would recover what had been lost.

Mr. Calcraft said, he should not follow the hon. gentleman in the topics which he chose to discuss, but confine himself to the subject of the ordnance estimates, with the merit or demerit of which those who have the direction of that branch of the public service have little to do. They found them ready formed, and, under existing circumstances, deemed it eligible to adopt them; and so far from depreciating their merits, he was ready to defend their adoption against any censure which might be thrown out against them. The noble lord at the head of that department had found that great expenditures had already been devoted to the establishment of old works, and systems of defence begun, which he deemed it more eligible to complete than to attempt the erection of new. For such others as might be wanted a large sum had been granted, which would be returned if the expenditure were deemed unnecessary by the master of the ordnance.

Lord Castlereagh expressed his hope, that it was the intention of the right hon. secretary in the war department to follow up the plan upon the eastern coast which had been recommended by his late right hon. friend. Though it did not form an article in the estimates, yet it would have been proposed had his right hon. friend been able to attend in his place; for, in his opinion, there was no object more essential; because, in presenting a strong defence on that point, should the enemy approach our coast, seeing the impracticability of making any impression in that quarter, their efforts would be thrown upon the flanks; in consequence of which they would be forced to traverse a considerable distance by sea, in endeavouring to direct their efforts to the north or south. In this case, there would be a great probability of their falling in with the heavy ships of our navy, and being totally defeated. He felt this point to be so important, that he wished to impress it upon the minds of his majesty's ministers, and to express his hope, that no attention to a false or delusive œconomy would induce them to be sparing in the expenditure necessary for absolute safety. Indeed, from what he knew of the noble lord at the head of that department, he was convinced that

the importance of this consideration would be too deeply felt to stand one moment in competition with an ill-timed parsimony. A plan of general defence was indispensable for the security of Ireland: it ought no longer to remain in a situation in which an enemy, landing with an effective force, might march from one end to the other unimpeded by a fortified post of sufficient strength to embarrass their progress. He therefore wished ministers to make up their minds to the necessity of a liberal expense, to render the system fully adequate to the pressure of the occasion. He admitted the propriety of dividing the depôts of ordnance and arms; and in pursuance of this plan a central depôt had been formed, in which particular attention had been paid to an adequate supply of small arms and of ammunition. A train of artillery had been added, fully manned and horsed; but the artillery for our navy, with its appropriate ammunition, was so ponderous as not to be very easy of removal: therefore the principal depôt still remained at Woolwich, with minor arsenals at Plymouth and Portsmouth. He did not mean to press his majesty's ministers to a disclosure of their plan of defence, if the whole were not in readiness to be brought forward: but it was extremely desirable that some explanation should be given, whether or not the additional force act was to form a part of that system. The operation of that act, which had been unjustly depreciated, could be proved to have been more effective than the enemies of the measure were willing to allow; so much so, as to merit the mature deliberations of ministers before it was wholly abandoned.

Mr. Windham said, the charge of supineness could with more propriety be retorted upon those who, from the badness of the system they themselves had formed, had occasioned all the difficulty and delay of which they complained. The noble lord, too, for whose advice and counsel his majesty's ministers felt all due obligation, betrayed great solicitude for the state of the country, and wondrous impatience to be acquainted with the system upon which they, to whom the safety of the kingdom was now confided, meant to proceed. The noble lord and his colleagues, like unskilful physicians, possibly grounded their alarms on a conscious sense of the danger in which they had left the patient, and wished now to exert their skill in advising their successors; but those successors begged leave to decline their aid, as wholly disapproving their system, and not conceiving their advice very conducive to the convalescence of their patient. Both the honourable members were solicitous to know whether the additional force act was to be continued, or what other measures were to be pursued. He would reply, that such was the situation in which the military system of the country was left by the noble lord and his colleagues, that it was extremely difficult to determine what to do. What was to be the general system he begged leave at that moment to decline explaining; but it was likely that the bill alluded to would form no part of the system. With regard to the volunteers, he would add, that on this or any other part of the plan he would not suffer himself to be betrayed into a premature disclosure.

Mr. Canning expressed his astonishment that the right honourable secretary, who formerly thought a

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proper plan of defence a matter of so much facility as to be obvious almost to every man, should now find so much difficulty, and exhibit such tardiness in producing any plan. The house had been occupied for four years past by the complaints and invectives of the right hon. secretary and his friends against his majesty's late ministers, and in impressing upon the house and country the great hopes that were to be formed upon a broad-bottomed administration, including all the talents, character, respectability, virtue, rank, and eloquence, of the country. The object of the right hon. gentleman and his friends had been at length answered: they had got every thing their own way, and to the extent of their wishes; and yet, with all this concentration and conflagration of talents, six weeks were now elapsed, without their being able to propose any thing like a military system to please themselves. He understood it was a principle of the present administration, that the person at the head of each department was to be solely responsible for the transactions in his department; but whatever degree of confidence he might be disposed to attach to the general responsibility of the present administration, taken as a whole, he could not confide in them individually as their parts were cast, particularly in the war department; for he had no hesitation in saying, and he believed he spoke the opinion of ninety-nine in a hundred throughout the country, that the right hon. gentleman ought not to be regarded as a competent war minister. He might carry his objections still further, but his confidence was rather directed to that great superintending spirit which is supposed to have the chief direction and management.

Mr. Whitbread replied to the several arguments adduced by the last speaker, who, he said, seemed uneasy lest the volunteers should take alarm at the present suspense, as to what measures were to be adopted respecting them. He had the honour of being a volunteer, but felt no such alarm; and he was confident also that no such alarm could be felt by volunteers in general, as friends to their country, in consequence of any uncertainty under which they might remain until ministers brought forward their plan. He wished to know upon what authority the great efficacy of the additional force bill had been asserted, and how that bill, when administered by that right hon. gentleman and his friends, should be so unproductive; and yet so effective, now that they had ceased to have the management of it. In respect to the delay of which he complained, six weeks only had elapsed since his hon. friend had come into office; a period surely not unreasonably long to require for investigating the whole military system of the country, and endeavouring to form a bill free from those defects and blunders with which it was fraught under his predecessors.

Mr. Fox in reply to Mr. Canning, who had stated that the present ministry comprised all the talent in the country, and had stated it in such a manner as might lead to the supposition that they had so represented themselves, observed, that it was impossible they could have said so, when they saw the right hon. gentleman on the other side of the house. Not only the right hon. gentleman, but his colleagues

on the same bench with him, had made such a representation impossible, particularly by the display of talent which they had already made in opposition. It was possible, some of the friends of the present ministry, thinking too highly of their merits, might from prejudice or partiality have so described them; but he thought it was hardly decent for the friends of the right hon. gentleman lately deceased, to be the first to object to that species of compliment. With respect to his right hon. friend (Mr. Windham), the right hon. gentleman had said that he had no opinion of him, nor any confidence in him as a war minister. Yet he does not propose to turn him out—but says, "Before you have matured your plan explain the nature of it." Was it a fair inference of want of confidence, to require of his right hon. friend to tell them the nature of his plan out of time? His right hon. friend admitted that he was not completely ready. Delay is complained of: it was not till the seventh of February that his right hon. friend's writ was moved. The right hon. gentleman (Mr. Pitt) to whom neither delay nor any other bad quality would be imputed, did not for four weeks after his return to power bring in his additional force bill: the time which intervened was nearly as long as in the present instance. There a single act only was to be introduced: here a new system was to be formed. There, however, no objection of delay was started, neither were any premature inquiries made into the nature of the plan which he intended to adopt. If there had been any such, how awkwardly must that gentleman have found himself, in declaring it to be built on a system such as himself had been decrying within the last three weeks! The right hon. secretary declared that he could not figure to himself any reason for putting questions like the present, but a wish to embarrass. What good motive could the persisting in it proceed from, when his friend had said he was not quite ready to bring forward his measure? If he was guilty of delay, why not bring against him a charge to that effect, and let his conduct be the subject of parliamentary inquiry? But what advantage could proceed from a premature declaration, similar to that now required? From what motive but a bad one could the wish to procure such a declaration proceed? If, before the plan of the military arrangements now in agitation had been ready to be laid before the house, his right hon. friend had at once moved for the repeal of the additional force bill, while nothing was ready to be substituted in its stead, what would the right hon. gentleman have said? Would he not have said: Here is your haste to show your triumph over the gentleman who is now no more!—could you not have waited with patience, and allowed the act to take its course till you were ready with a substitute? He would appeal to the right hon. gentleman if that would not have been his conduct; and if his friend now said that this bill formed no part of his plan, did it not follow that this was not the time to discuss its merits?—After a few words by way of explanation from Mr. Canning, the report was brought up, and the resolutions were agreed to.

On the 2d of April Mr. Windham rose, to postpone till the next day the motion of which he had given

given notice for this day, with regard to the defence of the country. This delay was, he said, as unexpected to him as no doubt it would be to the house. But the cause was the indisposition of his right hon. friend (Mr. Fox), which rendered him unable to attend. He has, said Mr. Windham, been ill for the last two days, but he is much better to-day. I have been just with him, and he thinks he shall be able to attend to-morrow: I trust he will, for I should naturally be unwilling to bring forward the subject in his absence.

According to his previous notice Mr. Windham on the 3d of April proceeded to unfold his plan of military defence. He did not know what gentlemen expected of him; but if they imagined that the moment he had taken his seat in office he was to come forward for the purpose of effectuating some great and sudden change, he could only say that such an expectation was founded on nothing that had been said by him, either before his accession to office or since. The observations thrown out, and the principles laid down, did not apply particularly to any emergency, or to any particular state of affairs; but they went to the great and important object of a general and permanent plan. Such a measure required careful and attentive consideration. It was a matter of the highest interest. He had never thought them so exceedingly bad, as to put him under the necessity of being violent, of falling to work immediately, so that instantly we might effect a great change. Changes for the better he readily admitted could not be commenced too soon; still he thought a little sooner or later was not very material. The house were to consider how to put the military establishment of the country upon a better footing than it now was, and how to provide not merely against temporary but against permanent dangers. The great mischief had existed in the false view that had so long been taken of a most important subject. The first great thing in his mind was to create, or to provide for the existence and maintenance of, what is called an army, a body separated from the rest of the community, governed by laws of its own, withdrawn from society to a certain degree—a body that neither toils nor spins, that professes neither trade nor profession but that of war, and whose great object is to destroy the enemies of the country, and therefore exempted from the public duties to which other subjects are liable. He did not mean to say that the country had not such an army already in great perfection in many respects. Though the interests of the army had always been expressed in the professions of gentlemen in parliament; though the house had been, for many years, toiling at military measures, all professedly for the improvement of the military force; yet what was done? Our heads were filled with levies *en masse*, with armed citizens, with armed nations, with notions of 800,000 men in arms, till we almost forgot the character and importance of the object we wished to attain. We thought only of getting a number of men together in any way, with the advantage of some knowledge of military tactics, and then we thought we had made up an army: but it was not a difficult thing to prove that an army without military law was a solecism. Its very existence depended upon it. Whatever objections might be made against military

laws, they were absolutely necessary in the formation of an army. These bodies of men were those who turned the fate of empires. Men did not, in general, come forward in great masses to attack others, or to defend themselves. These accumulations were very rare. Look at the battles of Marengo and Austerlitz: great as these battles were, and numerous as were the armies, and great as the slaughter must have been, yet how slight were those compared with the millions who hung upon their fate, and fell with the unsuccessful hosts! Let us then talk with some caution of the strength of nations without armies. Masses had seldom or ever done much. They might be very valuable: but they were like the iron in Swedish mines, of little advantage till forged and hammered, and brought into some useful state by the hand of the manufacturer. When we heard of the French and Austrian army advancing to meet each other, we thought only of the movements of the two armies. If *no army* opposed him, we did not think of any thing else to prevent Buonaparte from going to Vienna. After the business with general Mack, we imagined he would proceed to that capital. There was nothing in his way:—but were there no inhabitants; no warlike inhabitants with strength in their limbs or courage in their hearts, animated by loyalty to their own sovereign, and a detestation of the invader? But he proceeded through such a population, as through a medium almost as unresisting as air. That this country would do more than the continental nations had done, under such circumstances, from its public spirit, its love of liberty, and its indignant feelings towards the invader, was a sentiment very generally entertained, and which he fondly cherished; but he would not rest the safety of the country there. Look to Switzerland; the country and people peculiarly calculated to resist invasion. Every body knew the character of the Swiss: men of powerful athletic strength and stature, proverbially courageous, a nation of warriors, peculiarly attached to their country, and that country deemed almost invincible. Nothing, in fact, was safe to suppose against what our experience of the world taught us. We ought, on every consideration, to be especially careful of our regular army. If ever a French army should land in these countries, there were no less than 100,000 men of our national military force that could never possibly have seen a battle, till the very time when they would have to engage the enemy.

Having mentioned these facts, he would proceed to state those measures by which he thought the object he had in view would be best provided for on a permanent footing. It was far from his plan to arraign the present discipline of our army. There were but two ways in which we could raise men, either by choice or by force. In countries ruled by arbitrary governments, which allow the principle of force, the means are unquestionably the most direct, certain and efficacious for the end proposed. But here we must go by written laws, and act by them strictly. Some persons were disposed to raise the cry of 'compulsion:' but we did not compel men; we compelled only the payment of money. Compulsion was only used in a figurative sense; as, in the militia, we compelled one man to pay, that another might

might serve. The principle was not a good one. If we avoided the inconvenience of raising by bounty, and converted it into a fine, then we absolutely converted it into a pure tax. As to the mode of laying the sum, if we laid a million, it might not, in the state of the wealth of this nation, be considered as any thing; it might not be felt: but if we divided it into shares of 20*l.* each, we should make it operate severely on objects; we should crush many individuals; we should draw blood at every stroke. All our late schemes to obtain men had been defective; which arose from our leaving the military life destitute of proper advantages. We had been driving a false trade, and taking goods to market not worth the money we asked. The thing offered had not been worth the acceptance of the men whom we wished to engage. What then is to be done? Why, make the military life more desirable. There are two ways, bounty or ballot. There was a time when scarcely any bounty was given. Officers were even reproved in the beginning of the American war for having given recruits the sum of two guineas. Then the service stood on its natural foundation, and the bounty was the service—a military office was fairly offered to all those who liked a military life. The military life was a species of trade: in most trades it was customary frequently to pay a premium for an apprenticeship to learn the art and mystery; but here we give a man a premium to take our bargain off our hands: a proof that our system is wrong. The army can never be in its natural state, till we can revert to its situation forty years ago. In other avocations of life men could always be had by adopting proper means; why not take the usual mode of traders, by the fair operations of a fair bargain offered to the population of the country? Let recruiting have fair play:—let it go to the wakes and the fairs and other country meetings:—let it travel about as well as the additional force bill. When the trade was fair, there could be no objection to a good advertisement; but it was when the trade is an unfair one that he condemned the arts of seduction. One method of making the military life more estimable was that of raising the pay: but too much pay would soon promote licentiousness, and that would occasion a necessary increased severity of discipline, which would diminish the attraction.—There was a dignity attending the profession of arms, that animated the people with a desire of a military life. They could be paid in this way of life, by distinctions, cheaper than in any other; and government had in its hands means, possessed by no private trader, of conferring honours suited to the different ranks and conditions. But there was another thing that would assist us prodigiously; which was, altering the nature of the service to a limited term: this would bring the constitution, in one material point, to a resemblance to the armies on the continent, and to no small portion of our own. The hundred thousand men he had before alluded to, all served on such terms with respect to time. He was always fearful of making any unnecessary changes, he had that principle strong on his mind; but still he could never entertain any apprehension upon this subject. He might even say it opened the door to improved discipline, by rewards, and by lessening the frequency of corporeal punishments,

which, however, he knew could not be entirely abolished. When there were spirits in great numbers, discipline must be maintained rigidly; but he thought various means might be applied to diminish the evil, and above all by getting a better description of men into the service. His conviction was, that it would improve the discipline. Then came the subject of desertion. But if the noble lord (Castlereagh) would examine into the state of a recent act, he would find not fewer than one-fifth of the number raised had deserted. This was one of the consequences of pursuing that vicious system of purchasing by high bounties. The objection to a limited time of service which seemed to him to have most weight, was that respecting foreign and colonial service, and this was particularly important in considering a British army. But it must be admitted that this objection was a distant one, and gave time enough for the adoption of various modes of obviating any of the ill effects supposed.

In the variety of opinions he had heard upon this subject, he found that one of the objections which was principally rested upon was the enormous expense that would attend the renewing the agreements for an additional time of service. This objection, however, rested entirely upon the supposition that the present system of high bounties was to be held up: he however must suppose that the immediate tendency of improving the situation of the military service, would be to diminish the bounties, which would be from that time in a course of decrease. It was also urged that it would be a prodigious loss to our armies, if, at the expiration of every year, we were to lose so considerable a portion of our force; and those who urged that objection stated, that if the term of service were for seven years, one seventh of the whole number of the army would be reduced each year; or if the term were eight years, it would of course be one-eighth. In this calculation, however, they appeared to forget casualties, and that many must die in the service; and that therefore this proportion was not to be calculated on the same principle as a common annuity: nor would it happen that the numbers who, at the end of seven years service, could claim their discharge, would amount to the seventh part of the army; which would be to suppose that there were neither casualties nor death in the service. Neither would he allow, by any means, that it was probable that all who were entitled to their discharge would claim it; but, on the contrary, if the service were made more attractive, he thought the number would be inconsiderable. It was therefore his opinion, that, in the first place, from the reduction of the bounties the expense would not be any thing near so great as was apprehended. 2dly, That it was not all who were entitled to their discharge who would claim it: and, 3dly, He was sorry to say, that in the course of nature, and of the service, all would not live to be entitled to claim their discharge at the expiration of the appointed time of service. It was supposed that all the soldiers in foreign service would be eager to obtain their discharge. This, however, was by no means his opinion. If the choice were merely between serving in one place or another, many might wish to change the place of their service; but when the choice was only whether they should

should serve or not, he believed there were many who would be very unwilling to quit the service, although they might not exactly like the particular service that had fallen to their lot. So far, therefore, from fearing a great diminution of our army in consequence of this privilege, he felt convinced that the number of soldiers that the nation would lose by the discharges that would be so claimed, would be nothing equal to the number that it would gain by the knowledge that, at the expiration of the appointed time for service, every soldier had a right to claim his discharge. As to desertion, there were many cases where good and excellent soldiers, in some moment of caprice or passion, might be tempted to desert: he thought that the act of desertion should deprive them of the advantages of a certain number of years of their service, which might be settled in such a manner that even a court-martial could not restore them. This, he thought, would in many cases be a proper punishment for the offence. When, however, the chance of desertion from an army for limited service was spoken of, he must say it was contrary to reason and nature to suppose that desertions would be so frequent as they would be from a force for an unlimited period. To suppose the contrary would be something like the supposition of men actually preferring smaller bounties to greater. He then proceeded to state the term of years which appeared to him the fittest for the period of military service. The inclination of his mind was, that seven years was the properest term. Seven years was a term familiar to the nation, and nothing more than the generality of all apprenticeships to trades. He thought that it was also such a term as would combine the service which the country had a right to expect, with the attractions that were to induce individuals to enter into the service. After the first period of seven years, he thought the soldier should be entitled to his discharge, and to some privileges,—at least equal to what are now given to militiamen. If the soldier should wish to renew his engagement for a second term of seven years, then he should propose that, during this period, he should have a small increase of pay, perhaps about sixpence a week additional. The reason that he named so small a sum was, that, as he had before mentioned, he knew that large sums led to licentiousness and insubordination; and therefore wished that the advantage should be given them in another shape. In the third period, he should propose a still further increase of pay; he should say, at least a shilling a week additional. At the end of the second period, as well as of the first, the soldier should be entitled to his discharge. It was also strongly the inclination of his mind, that after the expiration of the second period of service the soldier should receive a pension of some sort or another for his life. In speaking of the term of seven years, he meant that this should be the term of service for the infantry; the cavalry and the artillery required a longer time of service, as it took more time to make a good horse-soldier, or artillery-man, than it did to make an infantry-soldier. He should therefore propose, that, in the cavalry and artillery, instead of three different periods of seven years each, the first period should be ten years, the second six, and the third five years;

years; at the expiration of which periods they should have the same privileges and rewards as he had before mentioned. He could not avoid considering that such a system as that would promote the recruiting service far beyond any thing which had ever before been adopted. When men who had served their country, and distinguished themselves in its battles, should return to their homes young and unbroken in their constitution, and tell their neighbours what they had seen, and the varieties of life they had undergone, he was convinced that every man of them who so returned to his native country, and the town where he was born, would do more real and important service than he could have done in the field had he continued in the army. At the expiration of the second period of service, he considered that there should be some pension allowed; but at the expiration of the third, he thought the soldier should be perfectly a freed man, and go off with the full allowance from Chelsea. When he spoke of the Chelsea allowance, he did not mean what it now was, he meant that it should be raised considerably higher, and should be at least ninepence or a shilling a day. There were many other improvements which he was convinced would be very beneficial, but there was nothing which he considered of so great moment as the change in the manner of recruiting. Until this were adopted, he could have no hopes of any very important advantage. The plan that he had proposed, was not merely for the future provision, but also for the immediate benefit of every person in the military life, whether officers or soldiers; and its object was to make the military life as agreeable and as attractive as possible. What he had then presented was a mere outline, which would be filled up in the future stages of its discussion; and he hoped, at least, that a quantum sufficit would be retained of every thing that was likely to be useful in it. He should next come to that objection, which of all others appeared to be most relied on. It was asked, What do you mean to do with the army that is now in existence? To this he should answer, that, in strict justice and in equity, he need do nothing. Our regular army had, in point of fact, seen numbers enlist into the army of reserve, and into every description of force for limited service, for five years, or for seven years, or for whatever term that service required. This, however, could not justly be considered any hardship to those who had, antecedently to that time, entered for general service; nor did he ever hear that it had been considered a hardship. Every man's term of service depended on the circumstances of his engagement. It would be just as absurd for men who entered for low bounties, to complain that they were ill-used if greater bounties were given to other men who should afterwards enter into the service.—The regular army had been used to see every description of limited service. They were, therefore, too well used to the practice to complain of it; and besides, in the strictest equity and justice, they had no right to complain. It was, however, his intention to propose for the regular army, as a boon, that which they had no right otherwise to expect; he should propose immediately to increase the Chelsea allowance to 6*d.* 9*d.* and 1*s.* a day. This he should wish to do from

justice,

justice, kindness, and humanity to the regular army: but if he had no other motive than policy, it would be sufficient to determine him; for he knew no other means to demonstrate to the soldiers the concern that the country takes in their welfare, nor of holding out incitements to others to embark in the military profession, than by rewarding those meritorious and interesting men who had so long and so well served their country. If this were done, and it should be done immediately, every man in the army would see that he had a chance, however distant might be the period, of partaking in what the bounty of the nation had provided for its defenders, when they should have merited the rewards from their long services. According to this plan, no man would be finally discharged from service until he had served twenty-one years; but at the end of that time he should be perfectly freed, and enjoy the pension allotted to him. In the mean time, those who were in the second or third period of their service should receive the increase to their pay that he had before mentioned. Such a provision as he had described would, he was convinced, be received as a most important boon by the regular army now existing. Another great branch of the subject then presented itself to his view: it had been of late years a problem in political science, what was to be done with that part of the population of a country which could not be brought forward in the shape of an army? He had already given his opinion, that they could not well be brought forward in any of those decisive actions which usually decided the fate of nations. The difficulties of carrying the compulsory enactments of the levy en masse act into force were such, that it appeared to him much better first to try what voluntary service would do. Although that suggestion had originally come from him, it certainly was not then in his contemplation that this voluntary spirit was to be employed in such a manner as it had been in the volunteer corps which were afterwards formed. He saw that the spirit of the people was then at such a pitch, that they appeared only to demand of government, or of the house, "Tell us what we are to do to be useful to the country." Under those circumstances, it had been his opinion, that the people should have immediately been allowed an opportunity of training themselves, under the instruction of officers from the regular army appointed for that purpose. He thought there should be deposits of arms in every district, and, as he might say, shops of military instruction opened all over the country. Besides the assistance of regular officers, he thought the zeal of the gentlemen of the country might assist powerfully in training the people to arms, both by their own example, and by giving small prizes for firing at marks. All this could have been done with less trouble, and much less expense, than had been bestowed on the volunteer system. At the same time he thought it was proper, that there should be armed associations of the better sort of people, entirely at their own expense; but it was not upon such armed associations that he thought the country should principally rely in aid of its standing army. What he considered as much more likely to be effectual, was the mass of the people of the country trained to firing, with the neighbouring gentlemen, and

and military officers ready to combine them in whatever manner they could prove the most destructive to the enemy. Although he did not rely on such a force for giving battle to an invading army, yet he thought they might be brought into action in such a manner, as would fret, harass, and wear down an enemy. Besides the mischief that he conceived they would do in action, he relied upon such a force as this, as one that was likely to afford an inexhaustible fund to recruit from. Such were his ideas at the commencement of the present war, of the manner in which the zeal and spirit of the people could have been rendered more useful in the defence of the country. As an experiment, nothing could have been cheaper; for there would have been no occasion for all those distinctions and military trappings, which formed so considerable a part of the expense of the volunteer system as it was afterwards established. Instead of this system, which he had proposed, the country was all thrown into volunteer corps. This mistake was not the fault of the people, but of the government. The desire of the nation was, "Tell us what we are to do;" but when nobody told them, it was highly natural for the people, when left to themselves, to say, "Let us imitate the soldiers, and dress ourselves, and train ourselves as they do; let us learn the manœuvres they practise." After the volunteer corps were so formed, a right hon. gentleman (Mr. Pitt), for whose opinion and authority he must profess considerable respect, gave his opinion decidedly, that those corps might, with care and instruction, be brought into the shape of a regular army, and act as regular troops. It, however, always appeared to him that it was a most impracticable project to attempt to bring those masses of men, who had neither the habits nor the feelings of soldiers, who were not inured to hardship, or accustomed to military discipline and subordination, to act either with regulars or directly against a regular enemy. That right hon. gentleman (Mr. Pitt), in speaking of what he expected from the volunteer force, said, they would be sufficient "to push the invading enemies into the sea." This was an expression which he thought proceeded more from his heart than his judgment. It was, however, a most dangerous error in judgment to suppose that, because a body of men appeared well to the eye, or made a tolerable show on a parade, that they were on that account to be relied on as effective soldiers; and he was much surprised indeed at the number of inspecting-officers who returned those corps as fit to serve with regular troops. He could not conceive that the enemy would desire any thing better, than that the country should entirely trust its defence to the volunteer corps. As for courage, or confidence, it was well known, that in an army it is not sufficient to have confidence in one's neighbours. It was like the defence of a long line of fortification, which, if broken through in any point, the valour with which other points were defended would be of little consequence. If, then, a regular regiment came into action, it could not be supposed that their confidence would be the same if they were flanked by a corps of volunteers as it would be if they saw on their flank the 14th, the 28th, the 17th, the 42d, or any of those brave and well-tried regiments that had distinguished themselves

selves so much in many battles. He should not, however, deny that essential services might be derived from the volunteers, even under the present system. His general objections to the present mode of dividing the country into volunteer corps, were; first, the immense expense of the system on its present foundation; and 2dly, that he conceived it intercepted and locked up in corps, which could not be brought against an enemy, men who by another distribution might be brought against them in the regular army. He therefore thought that system was like throwing good money after bad, and that it never could succeed. He wished, however, that there should be many voluntary associations of the better sort of people, armed and disciplined at their own expense; but as to the great mass of the people, artisans and peasants, he did not wish that they might be locked up in those corps, but would rather have them loose, so that they might be attached to others of greater consequence. The mass of the people he wished to be loosely trained, and only so far as to be able soon to take their place as recruits in the ranks of the regular army. A training of that description would also be sufficient to make them very formidable to an enemy, as an armed peasantry under the direction of intelligent officers; and in either of those ways he thought they would contribute much more to the defence and security of the country, than by their being placed in volunteer corps. There were, however, other objections, of no less importance: in the first place, there was the enormous expense of the volunteers. During the three years and a half that this system had existed, it had cost government no less than five millions in allowances to the volunteers. The expense that the volunteers had themselves gone to, and the various subscriptions and contributions that had been made in aid of the system, amounted to at least as much more. He was stating it below the mark when he said, that the security which the country had derived from the volunteers for the last three years and a half was purchased at the expense of above ten millions sterling, besides the depriving our more efficient descriptions of force of many men who would otherwise have entered into them. The expense of the volunteers, then, was nearly equal to the whole of the property-tax for a year. Great as this expense was, if it produced as much security as could be had for the same money in any other way, there would be no occasion to attempt to change it. If he could realize his wish to see the great mass of the population of the country so far trained as to be able, either to act as an armed peasantry, or to recruit immediately whatever losses the regular army might receive in action, then, indeed, he should conceive that the country was invincible. Should its armies receive a check, it would immediately repair the disaster, and rise, like Antæus when flung to the earth, with redoubled vigour. The certainty of immediately repairing our losses, while the invaders could not repair theirs, must turn the victory in our favour. We should have complete regiments to oppose to the skeleton regiments of the enemy. In order to effect this purpose, there would be no occasion for any violent measures or severe compulsion. He should propose a very different course from what had

been hitherto adopted: instead of requiring a rigid discipline from the people, he should propose that sort of training which would be very easy for them to acquire, and which would answer all the purposes that he had stated. The only sort of compulsion that he should propose was, merely the necessity of training, and that only for the space of one year: the discipline necessary to enforce this training should be as mild as possible. If in this plan he appeared at all to be treading in the steps of his predecessors, it was because he would not remove any foundation stone that would fall in with the scheme of the projected building. The compulsion would be this: every man should be compellable to be trained to a certain degree, and must also consider himself compellable to serve, in case of invasion, as his majesty, in the exercise of his royal prerogative, should appoint. There would have been something more revolting in the levy en masse act, if it had really been put in force: it would have been very disagreeable and irksome for men in different situations of life to be brought together, at stated times, to the place of training, the shopkeeper with his shopman, the master with his servants, and the man of respectability with the most worthless. It was principally because these circumstances would have made the act extremely disagreeable in its operation that it was laid aside, and the volunteer corps adopted in its stead: but it was possible to have a mode of training that should be exempt from those unpleasant circumstances; and the armed volunteer corps, comprising, as he hoped they would do, the better classes, would separate themselves, in a great measure, from the armed peasantry, who should be looked to principally for recruiting the regular army, and repairing any losses it might sustain. He further proposed the reduction of the expense of the volunteer corps, which would be a saving to government of 878,000*l.*, a sum of no small importance. This alteration in the volunteer system was not intended in the way of hostility to the many respectable and patriotic individuals who had stood forward for the defence of the country in a moment of difficulty and danger; the object was merely to avoid an expense which was not attended with a degree of utility proportioned to the sum applied to the purpose. The volunteer corps were not by these means disbanded; they were only reduced to the more salutary plan on which they commenced. It must be understood, that those who were disposed to train themselves according to their own peculiarity of feeling should do it at their own expense, in every respect excepting the weapons to be employed. No exemptions would be admitted but from necessary causes, and the only privilege to which the volunteer could be entitled would be, to serve in his own corps. Thus the opulent man would be trained in the way most agreeable to himself, and would serve his country in the hour of danger in the mode most consonant to his inclination. Out of the immense mass of general population, a selection must be made, and he knew no way preferable to effecting this by lot. The persons appointed on this service might be conveniently divided into four classes: the first class being from sixteen to twenty-four; the second, from twenty-four to thirty-two; and the third, from thirty-two to forty years of age: beyond that period of life he would not recommend the performance

formance of this duty. It would be right to leave it in the discretion of his majesty, to call out which of these classes he thought proper, and also with respect to the county or district in which their exertions would be required. If in any particular situation a number of persons should volunteer on this service, their persons might be accepted in diminution of the ballot. The time required for this sort of training would be short; twenty-six days would be probably sufficient; and the compensation of 1*s.* for the loss of the half day would be adequate. It would not be required that this armed peasantry, if so it might be denominated, should be led to a distance from their ordinary residence, or be clothed in any manner different from their common raiment: on particular occasions, it might be eligible to collect them in the principal town of the county they inhabit, in the way we had heretofore adopted with regard to the national militia. The next inquiry was, How were these persons to be instructed in the use of arms? This could be commodiously effected, either by detachments from the militia of the county, or by portions of the second battalions. This arrangement would lead to a beneficial connection, to which so much commendation had been applied; a frequent intercourse between the military of the country and the mass of the people. By such means these levies would be disposed to recruit into the regular army, and this interchange of affection and interest was an incidental benefit, and on no account to be disregarded. According to the present system, the militia must be considered as classing with the regular army; it was, in fact, an army for home defence, and in this view it could not be carried to higher perfection than the condition in which we now saw it. It was not his intention to interfere at all with this part of the national establishment, any further than to continue the suspension. Whether at a future period it would be politic to diminish this department of our military establishment, might be a fit subject for subsequent consideration; but he would certainly recommend recruiting for this service on the scheme projected in Ireland, and at a limited bounty. He must again revert to the volunteers, as, in the great variety of matter to which his intention was directed, he found it difficult to assign to every observation its proper place. He would readily continue the allowance for clothing to the volunteers during the present year, but he wished it to be clearly understood that no such concession was intended to be continued. There was no subject in which he concurred more heartily with many intelligent persons with whom he had conversed, than on the monstrous absurdity of giving to such persons military rank. If the troops of the line were not to have precedency in the immediate line of their own profession, to what new state of humiliation were they next to be exposed? How so gross an error could have been committed, so revolting to all common sense and ordinary feeling, he did not know: he discerned nothing similar in the habits or practice of mankind. Would it be endured in this place, that the son of a peer, on account of his noble descent, should be permitted to claim precedency in any motion he brought before the house? Was a young lieutenant, whose parents possessed abundance of wealth, to be permitted to say to his superior officers,

"I will

"I will buy you all out, and take the command of the regiment?" Was the sensibility of the regular army to be so severely wounded?—And what was the advantage to be gained by this violation of individual honour? Was a gentleman, who had distinguished himself in the most dangerous services, to be placed under the control of a man who was utterly ignorant of the duties of the profession of arms, and who had experienced none of the perils and suffering with which that honourable occupation was conversant? In future, he would recommend that no volunteer officer should hold a higher rank than that of captain; that is, that no regular officer commanding a corps, and not below the rank of captain, should be commanded by a volunteer officer. He had almost forgotten that he was himself a volunteer officer; but on endeavouring to examine his own feelings, as his recollection was directed to his own situation in that character, he could not perceive that he was at all mortified at the surrender of his new dignities. Titles and distinctions were becoming and valuable to men in the army; but to him who had done nothing to deserve them, if not disgraceful, they were at least absurd and ridiculous, and he hoped his brother officers in the volunteers would see their absurdity, and acknowledge their misapplication. The military officer might exclaim against this plunderer of his hard-earned reputation in the language of the dramatic poet—He

> "Takes from me that which not enriches him,
> And makes me poor indeed."

He did not think it either a decent or a politic regulation, that the gay attire of the military should be assumed by the volunteers: this was among the distinctions which ought to be reserved for the former; and it seemed to him as fantastical that they should wear this raiment, as that they should strut in the array of the king's footmen, or any dress that pomp and circumstance might attach to particular offices. He trusted that the good sense of the volunteers would lead them to wear habits more modest and œconomical, and that they would perceive the indelicacy, if not the folly and vanity, of affecting to be the character to which they had no just pretension. Such was the general view he had taken of this subject, and he founded his project upon the nature of things, and upon the constitution of the human mind, as far as he could form any judgment either of the one or the other. He would by no means contend that the system was complete in its parts, or certain in its operation: he proposed it only as an experiment, gradual in its progress, but he hoped permanent in its effects. He trusted, however, that it was so far unembarrassed, that it would not be necessary that the ground should be cleared by successive acts of parliament, that the mist and dust of legislative regulation would be avoided, and that simplicity would at least be attained. He was perfectly aware, when he took a rapid review of what he had said, that he had omitted much that deserved the attention of the house; but he felt that he had already intruded too long upon its indulgence, and he would detain it only a few moments more. He did not think the number to be trained on the plan he had intimated would exceed 200,000 men. With regard to the bounty, he did not conceive it would be hastily reduced by his proposals, or that

that any immediate conspicuous operation ought, under the present circumstances, to be expected. He was a little astonished at the impatience indicated by honourable gentlemen opposite to him; he believed their additional defence bill lay dormant in the ground for a long time before it produced a single blade; for his part, he would promise no rapid growths; he would not, in the language of quackery, predict an instantaneous cure for all the disorders with which, under long neglect and mismanagement, our military system had been infected. To conclude, he would move for a bill, which was merely an accommodation of what had been called the levy en masse bill of 1803, to the present position and circumstances of the country. The motion was then read from the chair, "That leave be given to bring in a bill for repealing the said act."

Lord Castlereagh.—However widely I may differ in opinion from the right hon. gentleman in most of the positions and conclusions which he has laid down, it is not my intention to resist the introduction of any bills which are calculated to develop the system which he has this night opened to the house; neither is it my intention at present to follow him through the details of his long and elaborate statement. Future opportunities will be afforded, better adapted for such discussions. Having preceded the right hon. gentleman in the situation he now fills, and having, under the superintendance and guidance of my late right hon. friend, latterly administered the war department of the government, I feel it due not only to myself but to the house, to bring before them such a statement of the actual situation in which we left the public force, as may enable them to judge as well of the truth of the charge which the right hon. gentleman has ventured to make, as of the necessity or expediency of the change which he has thought fit to propose. I am additionally impelled to do so, from the earnest desire I must feel to discharge what appears to me a duty to my late right hon. friend. To no subject had his attention and exertions been more anxiously directed during the latter years of his public life, than to the formation of an improved military system, adapted to the exigencies of the times in which we live. It is impossible I should not feel an attempt to depreciate and unjustly to degrade every thing he had done with this view, as a heavy censure against his government, and a most injurious reflection upon his memory. In this, as in every leading feature of his political life, his fame will, I am sure, be found inseparably interwoven with the best interests of his country—it will be impossible for the right hon. gentleman to wound the former without exposing the latter; and I am convinced, more especially on a subject which for such a space of time continued to occupy the undivided attention of his unerring mind, that I shall also best discharge my public duty, by yielding to the desire I personally feel to have his exertions in the public service fairly understood and appreciated by the house. The right hon. gentleman, in opening the question to the house, has been wholly silent on the present actual amount and composition of the army. He has been as little explicit in stating to the house the points in which he considered it to be inadequate, and the extent to which he proposes to carry it. He has, however, generally laid down the expediency of endeavouring to

obtain some considerable increase of that force: in this principle I cordially agree with him. The right hon. gentleman has not denied that the quality of the regular army, so far as it goes, is unexceptionable on this highly gratifying consideration:—it is certainly only to discharge a debt of justice to the illustrious personage who now presides so much to his own honour over that army, to bear testimony to the zeal and indefatigable exertions with which he has for a series of years past followed up its improvement. At no period of our history have the science, uniformity, and discipline of the army been comparable to what it now is; and I am sure I speak the sentiments of the profession at large when I assert, that to the present commander-in-chief the British army is indebted for more solid improvement than to any, or I might say to all those who have preceded him in that distinguished trust. But to return to the present state of the army in point of numbers, and that the house may fairly estimate the merits of that system, by the operation of which it has been brought to its present standard, I am desirous of comparing the amount and composition of the army as it stood on the 1st of January 1804, being the half-yearly period in the papers on the table which immediately preceded Mr. Pitt's last return to government, with that of the army as it now stands. I select those periods, not to disparage in any degree the meritorious exertions of those who preceded him in office, whose measures for the increase and improvement of the army I shall always contend were highly vigorous and productive,—but as forming the best criterion by which the effect of that system, which it is now proposed to explode and abrogate, can best be judged of. Including militia and artillery, the gross strength of the army at home and abroad stood as follows in effective rank and file:

1st January, 1804, - -	234,005
1st March, 1806, - - -	267,554
Increase, - - -	33,549

The regular army, including artillery, as distinguished from the militia:

1st January, 1804, - -	148,486
1st March, 1806, - - -	192,372
Increase, - - -	43,886

The regular army disposable for general service:

1st January, 1804, - -	115,947
1st March, 1806, - - -	165,790
Increase, - - -	49,843

This statement, I trust, will establish to the satisfaction of the house the important increase in gross strength which our army has received during the last two years:—they will likewise observe, whilst the numbers of the militia have been reduced, that the relative strength of the regular army has been advanced; and that the increase in the disposable branch of the regular army has been still more marked, being not less than 49,843 men, or nearly that of one-half. Whilst I concur with the right hon. gentleman in deeming a further augmentation of our force necessary under the present circumstances of the country, comparing the present amount with that at which it formerly stood when at the highest, it is impossible for the right hon. gentleman to depreciate either the high condition of our existing establishment, or the system by which it has been so rapidly augmented and improved.

1st January,

1st January, 1802, - - 242,540
1st March, 1803, - - - 267,554

Present army more than at any former period, - - 25,114

Such being the actual strength and composition of the army, the next point to be ascertained is the annual waste to which the army may be deemed subject, and the presumable supply of recruits which may be reckoned on for filling up the casualties therein, and carrying the army forward to a still higher standard. Excluding the militia from our consideration in this view of the subject, and confining it to the regular army alone; by the returns before the house it appears that, independent of any considerable loss of men sustained in the field, the annual average of deaths, desertions, and discharges, for the last six years, may be stated at about 15,000 men on our present numbers: upon a like average of years, the ordinary recruiting in Europe for the regular army, exclusive of any extraordinary measures of supply, such as the reserve and additional force acts, has hardly ever sufficed to cover the actual waste of the army, independent of the augmented loss which may be expected should any active operations on an extended scale be undertaken. We must therefore submit to have our army remain stationary, if not fall back in point of numbers, unless we avail ourselves of some extraordinary means of procuring a supply of men over and above what ordinary recruiting has yet been found to furnish, which has continued for several years past to produce not more than from eleven to fourteen thousand men a year, exclusive of foreign recruiting; little apparently affected by the operation of the several measures of competition and high bounties, however much its success, according to all just reasoning, ought to have been influenced by these causes. Before I state the resources on which his majesty's late ministers relied for an augmentation of the army, it may be right to mention, that it was not intended, at least for the present, to propose to parliament to vote the army on a higher establishment in point of numbers than it was taken at in the last year; but it was their sanguine expectation, that in the course of the next year they would be able to add not less than twenty-five thousand men to its effective strength, by which the present deficiency of forty-three thousand men would be reduced more nearly to that amount which must always be expected to exist, for obvious reasons, in the establishments of all armies. Their chief reliance for effecting this important object was on the additional force act, under an improved management, which bill it is now intended to repeal, without substituting any visible measure whatever of supply in its place. The bill in question has hitherto been tried under every possible disadvantage. The house will shortly have before them a most valuable body of information on this subject, in the reports from the several inspecting field-officers who have completed a progress through the several counties. I only wish the house to consider, if, under so defective a management, this bill has already furnished the army with about thirteen thousand men, and is now steadily producing at the rate of above sixteen thousand men a year, what might not be hoped for from it, when, instead of being hardly yet put into force in one half of the counties in the kingdom, it shall be gradually brought into general

operation? I must also request, that as a measure of pressure in point of charge on the country, the house will only compare its effects with either the militia or the army of reserve, and advert particularly to the fact, that, differing from all other measures for obtaining men, by due exertion the districts may discharge themselves by finding the men free from all expense whatever. The right hon. gentleman seems determined to leave nothing untouched; the form, shape, or extent of every branch of the service is to undergo revision, and to be subjected to change. To the large supply of men rapidly wanted for the extension of our present force; to the chasm which is already occasioned in the army by inevitable casualties, liable to be much increased should the troops be more employed in the field, he has thought fit to add the progressive defalcation which must be occasioned by suffering the militia to waste down to the very low establishment of thirty thousand men, being eighteen thousand for England alone below its present standard: he also desires now to lay the foundation of a heavy annual loss of strength, which must be occasioned hereafter in the army, when the measure for limiting the term of service shall begin to operate. And what does he propose to cover or counteract this obvious and formidable sacrifice of force? Absolutely nothing but his speculative assurance that more recruits will be obtained under his new system, although no change in the mode of recruiting is spoken of; and upon this ground alone, the solidity of which I shall hereafter examine, he calls upon parliament, in the midst of war, to give up a present annual supply of sixteen thousand men, capable of considerable extension, and to concur with him in adopting innovations the most serious in the constitution of the army. To the principle of improving the condition of the soldier, distinct from the proposed change in the terms of his enlistment, if applied with prudence, I am far from having any objection. So far as we can, within the limits of a rational œconomy, meliorate the condition of the soldier, and more particularly if we can, without immediate prejudice to his discipline, hold out to him rewards, to increase in proportion as his length of faithful service may add to his claim upon the liberality of the country; I am of opinion that the scheme is wise in itself, and may be productive of some good, though I conceive the right hon. gentleman is disposed to expect much more from its immediate effect, in inducing men to enter into the army, than either the value of the temptation, or the remoteness of its operation, will in any degree warrant. Whatever may be, however, its effects, it is unobjectionable in principle; but I must beg the house to recollect, that it is quite as applicable to an army enlisted as ours now is, as if the proposed change had been effected, and that it is in no degree requisite to alter the term of service of the soldier in order to give operation to this part of the plan: on the contrary, I conceive it might be added with some effect as a further temptation to men to enter into the army. The alteration of the term of the soldier's enlistment is a very different question, and perhaps amongst the most serious and delicate in its bearings, which parliament has ever been called on to discuss; it is impossible not to feel it to be the more critical, as it is

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one of those great changes of system, which once made, especially on the principles contended for, cannot be undone. Urged as this measure has frequently been by several of those who support it, particularly by the right hon. gentleman (Mr. Fox), on grounds connected with the individual freedom of the subject, I fear it is precisely one of those steps, from which, if taken in error, we cannot recede; and I do therefore hope, whatever may have been the sanction given to this scheme by individual opinions of great authority, that the house will cautiously weigh the grounds on which it is urged, and the effects to be expected from it, before they commit themselves to so serious, and, in my judgment, so fatal an innovation in the constitution of the British army. I own, much as I look with apprehension to the introduction of this vital change into the service, my objections are infinitely increased if the right hon. gentleman should persist in excluding the existing army from its application, whatever may be the precise terms of their present contract, where a great change is to be wrought in the situation of a soldier, since it is described, though I think untruly, as redeeming him from a sort of bondage. Every wise principle of liberality and policy requires, that the principle should be applied, under proper qualifications, to those who have the additional claim upon our favour, of not having been held back by any consideration of a personal nature from engaging in the service of their country. Can the right hon. gentleman mean to act towards the British army on principles of less liberality than the Austrian government did in the year 1802, on a similar occasion, towards the Austrian army? It surely cannot be wise to suffer distinctions to remain, capable of being represented as invidious, and which might have a tendency to introduce discontent and dissatisfaction into an army less subordinate and obedient than ours is. It is said, different corps in the army have at all times served on different conditions and terms of service. True it is that different regiments have; but I believe the men within the same regiment never have, without the most serious inconvenience. But this cannot be looked on as any ordinary change, or made on any ordinary considerations. It is intended as a great moral change in the soldier's situation, and to be held out to the country as such. Surely, then, if it is fit to be acted upon at all, it ought to be made, at least progressively, to attach to all those who are now in the service. But to consider what the effect of this regulation may be in filling the ranks of the army, it appears most extraordinary to me how it should have occurred to the right hon. gentleman as likely to operate successfully. For the last three years our endeavours have been directed, whilst a superior encouragement was held out to persons entering for general service, to obtain the utmost number of men possible for limited service in the regular army: this was first attempted in the army of reserve, under all the impulse of ballot and high bounties, and latterly under the additional force act. If then we have failed in obtaining an adequate supply of men, even for a service limited both in time and space, how can we expect, by taking away one of these limitations, and only enlisting men for general service, coupled with a period by two years more extended in point of time, to obtain a greater

or even so great a supply of men? What the inconvenience of the soldiers' being entitled to their discharge at the end of each period during a war is likely to prove upon experience, may best be judged of by recollecting how embarrassing this system, some years back, was found to be in the militia, notwithstanding the great comparative facility of dismissing and replacing the men when serving at home. This led to the adoption both of an extension of the period of service and the continuance of the inlistment during the war: the perpetual fluctuation of the militia was thus avoided; but the consequence upon a peace, notwithstanding the law enjoins that a proposition to re-inlist for a further term shall be made to each man previous to his being disembodied, has been found to be, that but a small proportion of the men re-engage, and that the regiments are principally composed, when re-assembled, of untrained recruits. The small proportion of the men re-inlisting in the militia, (I apprehend, on an average, not exceeding from a sixth to an eighth of the whole,) leads to another very serious view of this question. It is probable that soldiers, when stationed abroad, being at the moment removed from their homes, and from domestic impressions, may re-inlist in greater numbers; but presuming that the option will not in any case be put to the men, which I think it cannot possibly be, consistent with the professed principles of the plan, till towards the close of the period, I see no reason to suppose that the soldiers belonging to the regular army stationed at home, will not be nearly as prone to take their discharges rather than re-inlist, as the substitutes in the militia are found to be, who at present compose nine-tenths of that force. If the proposal of the right hon. gentleman is not sustainable in argument, I apprehend it is as little warranted in fair analogy, by the existing practice of any other great European military power:—the general plan of military service in Prussia does not countenance it—that of Russia affords as little sanction:—it is true, Austria, after the treaty of Campo Formio, passed an ordinance that such a system should take effect from a period then some years remote. It certainly was not in force in the Austrian army in its best days, nor do I believe it has as yet been acted upon; and we certainly know that no such regulation at present prevails in the French army. The only precedent at all in point that I have heard of, is that of Old France during the monarchy. The French army, I have understood, was then kept up by voluntary inlistment, and the soldiers were enrolled for a term of years, more extended, however, than that now proposed. But I must beg to protest against France, even at that time, being considered as in any degree a parallel case. Her population, in proportion to those serving in her army and navy, was nearly double what ours is. Her people were poor, little industrious, and prone to a military life. She had comparatively few colonies to protect, and a considerable colonial army in existence, to whom the regulation in question did not apply. Her army in peace and in war was more equal in numbers than ours is: in short, she had none of the difficulties to contend with in raising and supplying her army which we have; and in that, as in all despotic governments, the experiment might more safely be made, as the sovereign had

had always the power of military conscription, either actually in operation to fill up the deficiencies in the public force, or the right to recur to it if necessary. The advantages which the right hon. gentleman wishes to derive from it as counteracting desertion, seem to me also very much exaggerated, if not wholly unfounded. In part of his argument, though with a different view, he adverted to the great number of desertions which had taken place in the men raised under the additional force act; yet these are men raised for limited service. If the returns are examined, above one-fourth of the whole desertions of the army will be found to have taken place from amongst the men raised for limited service, although the total numbers of that description of force do not compose above one-eighth of the whole regular army. I do not quote this fact with a view of maintaining that the men being engaged for a term of years disposes them the more to desert; all I contend for is, that it does not materially prevent them; and I believe it will be found that desertion is always most frequent amongst new levies, whatever may be their engagement; and in this respect the right hon. gentleman's system will rather tend to multiply desertions, by materially increasing in the army the number of recruits in proportion to the old seasoned soldiers, who seldom are found to desert. From most of the leading features of the right hon. gentleman's schemes, for the reasons stated, I have no hesitation in expressing my most pointed dissent. I consider some of them as feeble and inefficient, and others as likely to prove injurious, if not fatal, to the best interests of the army. Were his plan even preferable in some respects to what now exists, I should deem it both unwise and unsafe to select the present moment for introducing so extensive a change: but where the innovations appear pregnant with danger in themselves, and in their nature hardly reparable if once made; where the whole proceeds upon a scheme of destroying what is now efficient, upon slight grounds of objection, without any attempts at substitution in its room, I cannot hesitate in deeming it my duty to resist, as far as depends on me, so dangerous an attempt; and here I cannot hesitate to express my confident persuasion, had his majesty's late ministers remained in power, that they would have been at present occupied in directing the powerful army, which the country actually possesses, against the enemy's most vulnerable points, instead of wasting their own time, and that of the house, in unnecessary and hazardous experiments on the constitution of the public force. I shall close what I have felt it my duty to offer to the consideration of the house on the present important question, by shortly referring to what fell from me on a former night's debate, with respect to the state and condition in which the government, in all its leading branches, has passed into the hands of his majesty's present servants. I certainly was not then, nor am I now, disposed either to undervalue or to disguise the many and serious difficulties the government have to struggle against, more especially in their external relations, reduced as the greater part of the continent now is under the absolute power of France; and no one can feel more desirous than myself, of strengthening their hands to the utmost, that they may be enabled the better to bear up against these diffi-

culties: but I must contend that, with respect to all the main and leading features which constitute internal strength, and afford the best means of successfully prosecuting the war to an honourable conclusion, no administration ever found themselves, on their coming into office, in a more commanding situation. The noble lord (lord Hen. Petty) has found a revenue highly and progressively productive; public credit, such as to enable him to borrow for the service of the year on terms highly advantageous to the public; and the general prosperity of the country, such as to admit of his adopting the manly resolution of raising a large additional proportion of the supplies within the year. The noble lord (lord Howick) has found a navy, on the numbers and efficiency of which it is as little necessary for me to comment, as upon their late unrivalled achievements. The right hon. gentleman (Mr. Windham) has found an army exceeding by 25,000 men the greatest army the country ever before possessed, and of a description which qualifies them to fulfil every wish their sovereign can form, with respect to their exertions, if their character and constitution be not broken down by inconsiderate and speculative innovations. I again repeat, that the government has great difficulties to surmount, but they arise from causes which my late right hon. friend, and those who acted with him, had neither the power nor the means to regulate or control. Whatever was immediately under his own guidance has been successfully conducted; and I do not hesitate to assert, that on all the essential points above alluded to, viz. the finances, the navy, and the army, compared with the difficulties and embarrassments under which they are disposed to represent themselves as taking the government, the present administration may be considered as on a bed of roses. I trust the house will pointedly discourage any attempt to tamper with our establishments at such a crisis, which require nothing but time and perseverance to render them equal to any purpose we can have in view. No case calling for any fundamental change has yet been made out; and until such necessity shall be made more evident, every consideration forbids the entering upon so hazardous an experiment.

Mr. secretary Fox.—I rise, sir, to make a few observations on what has fallen from the noble lord, and which appears to me so extraordinary, that I could not have imagined that any human nerves were sufficient to enable any one gravely to make such assertions as he has hazarded. He has told us that the country is now placed in such a state of proud splendour and universal prosperity, as never had been handed over by any ministry to their successors. Gracious God! and in what does this prosperity of which he boasts consist? Undoubtedly the navy, by the most unparalleled gallantry, and the most wonderful success, even beyond human calculation, is in a state in which the task of my right hon. friend near me is comparatively easy. But may it not be questioned whether all the merit is due to the last board? nay, whether, with a reference to the future supply and maintenance of the navy, every thing is quite so meritorious as the noble lord asserts? But, of the splendid victories achieved, is the whole credit to be concentrated in the last eighteen months? Is none due to that board

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of admiralty at which lord St. Vincent presided? none due to those who selected and appointed those officers? The noble lord, indeed, defended lord St. Vincent too; but it cannot be denied that many of his friends entertained against that gallant officer as strong prejudices as ever existed in the minds of men. But after mentioning the navy, I do not know that there is a single point on which I can subscribe to the noble lord's representation of the country. Is it in the finances that we are to seek for the proofs? Because the last administration laid very heavy burdens on the public, did that facilitate the laying on those new burdens my noble friend near me found it his duty to propose? It is true we have forty-three millions of revenue; but is it very consolatory that we have an expenditure of forty-three millions? Is there no relation between those objects? Or is it a proof of prosperity that our taxes are enormous, though they are borne with cheerfulness, because they may be necessary? Does the noble lord appeal to Ireland as that with the state of which there is every reason to be proud? Is India in the best possible state, quite prosperous and tranquil? Where then is the "bed of roses" to which we have succeeded? Really it is insulting, to tell me I am on a bed of roses when I feel myself torn and stung by brambles and nettles. But, as far as regards this country itself, we are in a state of prosperity. But surely you ought to consider the difficulties arising from other countries, as making part of our situation. The noble lord must admit, that, to use the phrase of one of his colleagues, "the continent is not in a very satisfactory state." The noble lord, however, tells us, that having succeeded to such an excellent state of things, it must be our own fault if we do not carry on affairs well. Does the noble lord then think that there is a rational prospect either of an honourable and satisfactory peace; or, that we possess the means of so carrying on the war as to compel our enemy to agree to peace; or, that we have the prospect of weakening and reducing his power? If the noble lord thinks these matters easy, I should be very happy to have his advice on the subject. He talked as if it had been the intention of the late ministers to have made an attack on some of the enemy's vulnerable points. In taking credit for the success of such a project, I must confess the noble lord seemed to boast rather too much of what might have been the event. But he spoke as if something particular had been in view. If there was, I do think that it was the noble lord's duty to tell the king's government where the enemy's vulnerable points were. It has ever been my practice, if I had any information, to give it, whoever were ministers, that it might be acted upon if useful; and I confess I should have expected the noble lord to have done so. We certainly should be glad to know what vulnerable points the noble lord believes could be attacked with success. The noble lord, indeed, though he has talked so much of complication, seems to have an understanding so formed, as to be utterly incapable of conceiving any relation between objects. He saw nothing but a large revenue, but he saw nothing of the large debt. He talks of a large army, but he does not consider that our enemy has an army, a very

very large army. Surely it is not enough to tell us of an army larger than in queen Anne's time, or even in the American war, when the relative state of circumstances is so wonderfully changed! I might, then, quit this part of the subject, saying that the state of the country is almost in every point directly the reverse of that described by the noble lord; but I would ask him, whether that most prosperous state of the country had all arisen between May 1804 and February 6th 1806? The noble lord himself may claim the merit of the prosperity of both. But will some of those very near him (Messrs. Canning, Rose, &c.) agree as to the proud situation of the country in May 1804? Nay, would not the assertion have appeared strange to that right hon. person on whose memory the noble lord has frequently drawn this evening? Was it prosperous in 1804? and What is the difference in the increase of the army since then?—Some 20,000 or 30,000 men, perhaps. With respect to the parish bill, the very circumstance mentioned by the noble lord, as to its not being executed, appears to me decisive of its being a miserably bad measure. The noble lord ascribes its non-execution to the ignorance of the parish officers. Indeed! after explanations were posted every where, and commentaries circulated by the secretary of state! But in truth it was not the ignorance of the parish officers. I know that in the part of the country where I live, within five miles of the commander in chief, the bill has never been acted upon; and it is ridiculous to say that it was solely from the ignorance of its object. The truth is, the bill was found to be absurd and impracticable, and therefore it was not executed. To come now, however, to the principal point in my right hon. friend's plan—the inlisting for a limited time: the noble lord observes upon this, that though the late Mr. Pitt was at first captivated with the idea, he came upon mature consideration to abandon it. Really I do not know what use the noble lord is to make of the opinions of that right hon. person, if he is to be administrator of them. I have read of Mark Anthony giving out memorandums and scraps of Julius Cæsar's; and I remember that considerable doubts were entertained of the truth of such vouchers of Cæsar's sentiments. All I know is, that I never heard that right hon. gentleman say in parliament that he had changed his views on the subject; nay, I have heard accounts very different indeed from those of the noble lord. For myself, I always have been, and still continue, a warm friend to the principle of inlisting for a limited time. The noble lord, observing on my right hon. friend's argument that this would facilitate the recruiting, thinks proper to allude to something he supposes me to have said respecting the hardship or bondage of the situation of men engaging in a service for life. I remember, indeed, having said on a former occasion, that I considered such a system as unsuitable to the genius of this constitution; and that, in addition to the object of policy, it would be an additional argument with me that we should get rid of what it appeared to me desirable to change. We must submit to many things in themselves unpleasant, because we cannot help them; but surely, when humanity and constitutional principle coincide with true policy, it will be an additional inducement

inducement to every honourable mind to rectify what is amiss. What the noble lord means I cannot tell; but I see very well, not only that the proposed regulation has a tendency to remove an objection to the service, but that it has been adopted, in practice, for that end. In part of the Prussian army, contrary to the broad assertion of the noble lord, it was the custom to enter for a limited term. It was said, indeed, that Frederick the Great was not very scrupulous in executing the contract, though it was clear what was considered the tendency of the regulation; and I am convinced that with a government like this, scrupulous in its faith, the regulation would most powerfully operate as an inducement to the service. Besides, the noble lord is mistaken in his statement. All the troops of the continent were not engaged for life. Those of the elector of Hanover were for a limited service. The German corps in our own service are all for limited time, even the 60th regiment. As to the case of the East India company, put by the noble lord, it proves too much; for it is absurd to say, that men will inlist more willingly for life than for a limited time. Now with respect to the volunteers, the noble lord says, he remembers my right hon. friend having, on former occasions, said so and so of the volunteers; but I fear the noble lord only remembers his own misrepresentations of what was said. As soon as the noble lord got up I anticipated what we have heard; day by day, week after week, year after year, the same eternal repetition of the same confuted misrepresentation. Indeed he has repeated this so often, that I verily believe he has brought himself to imagine tha his own answers to my right hon. friend were really the arguments used by the latter. But what was the proposal of my right hon. friend? Was it not to retain, as volunteers, those of a superior class, those able to defray their own expenses?. while those who could not were to be subject to the general training. And this was the principle which seemed universally agreed upon when the levy en masse act was first considered, and it was thought an objection to that measure that all classes should be blended without distinction. Now, what is the proposal of my right honourable friend as to the general training? It is to invite, or compel, a certain portion of the whole population to be trained twenty-six times, each person having one shilling for his trouble each time; so that, if the training happened on a Sunday, it would be so much gain. Those, however, who chose to defray their own expenses as volunteers, are not to be compelled to be trained. The noble lord however asks, Will you put all those men so trained into the ranks to defend London? I answer No, because the thing must be impossible; and I apprehend that in the neighbourhood of London a sufficient number of trained men would be found to annoy the enemy, or fill up our own ranks, without calling up those from the distant counties. The effect of the training would be to give us a greater number of men, better fit than they would otherwise have been, to recruit the regiments, or to contribute in other ways to harass the enemy. It is said, But could these men defend London? Could they stop the enemy before they reached Chatham? Should the

the enemy land on our shores, we ought doubtless to fight every inch of ground; but are we to act as if that were all, and as if the whole were lost if the first stand were not successful? We must provide, however, not only to withstand the enemy vigorously in their first progress, but to have all the means of maintaining the contest with them in the worst event. Nay, I am convinced that the English people would, on such an occasion, display an energy, perseverance, and fortitude, surpassing what any nation on the continent has shown. They are in a different situation, to be sure. They are unaccustomed to the presence of an enemy in their country, and could not bear it patiently: they feel every motive of attachment to their country and their constitution. They are unshaken, in their affection to their government, by those changes of master and of companion which tend to unhinge every principle of allegiance; and they would therefore, I am convinced, give a new example of constancy, and would show that the fate of their country did not depend on the event of a single battle. Even if the first advantages were gained by the enemy, they would find hundreds of thousands, nay, perhaps millions, of Englishmen determined to maintain their liberty and independence. That the enemy would be resisted by an armed and trained peasantry, capable of harassing their progress or of serving as recruits to the regular army, I am perfectly satisfied, and I am convinced they will do it far better than any number of volunteers on the present system. Indeed the employment of volunteers as regiments and as reinforcements would be full of danger; and no friend to the volunteers would advise the experiment to be tried. It is alleged, however, that no immediate increase of the army will result from this measure, because it substitutes nothing. But, in truth, the merit of the plan is, that it proposes no complicated machinery to produce an effect which will be gained by the simple mode of recruiting. All the schemes adopted for raising men have, as far as they have been successful, only defrauded the ordinary system of recruiting, and that with a great expense, and no inconsiderable oppression. Is it nothing that the market will again be left open to the government as the only recruiter? The noble lord tells us, too, that it was the intention of the late Mr. Pitt to make an addition of 20 or 25,000 men to the army. And in fact, I have no doubt that my right hon. friend will propose, not only to leave no deficiency in the effective force already considered proper to be kept up, but will suggest any further increase that may appear necessary. It ought to be remembered that, with the exception of Russia,—a power, however, whose alliance, desirable and important as it is, must be confessed to be too remote for producing a decisive impression on the continent,—we have no ally whatever of any consequence, willing to fight for us. Such is the prosperous situation the noble lord describes. When this is considered, and the state of the continent is taken into view, it must be allowed that it is time to think of increasing our army. Both for the purpose of war, and what must be the establishment of any peace likely to be obtained, it is proper that the subject of the army should be maturely weighed. Indeed, by the

circumstances

circumstances of Europe, I am ready to confess that I have been weaned from the opinions I formerly held with respect to the force that might suffice in time of peace; nor do I consider this as any inconsistency, because I see no rational prospect of any peace that would exempt us from the necessity of watchful preparation and powerful establishments. The subject of the army, therefore, must come before us in different shapes, and present itself in different views. If we cannot obtain a safe and honourable peace, of which it is impossible, in the actual state of affairs, to be sanguine; and if we do not obtain, in carrying on the war, that species of success hardly to be calculated upon; we must be reduced to that state which I, for one, cannot contemplate without apprehension, of being, with respect to Europe, the *Britannos toto orbe divisos*, and be left to our own resources and our own colonial connections; or be compelled to cultivate a system the most uphill, the most difficult, and the most perplexed, particularly after the ill success of our late continental measures, which it is possible to conceive. Yet, perhaps, upon the whole, I am more inclined to the latter system, difficult and unpromising as it is. But if we do resolve to engage in that arduous and difficult struggle, demanding every effort and every exertion, or indeed upon whatever other system we resolve to act, a large army is indispensable. Even while foreign powers court our money, they feel a degradation in accepting it, and they do not view us in a favourable light under such a connection. But whether we can have an army adequate to home defence and to foreign operation, may be doubtful. Yet I will say, that while we take due precautions for home defence, by training the population to arms, the true policy of the country is to rise superior to the panic of invasion, and to show that our force and our courage are not to be confined at home. Our enemy shows us, that by disregarding the danger of particular points, and by directing his forces where the occasion demands them, he has been able to spread his dominion, and to subdue his opponents. If that system to which I have alluded were to be adopted, a great army must necessarily be maintained. In England and Scotland, I am confident the plan proposed will have the most powerful effect on the recruiting service; and, if measures could be adopted for completely conciliating the people of Ireland, it would present a nursery of brave and excellent soldiers, more faithful, in proportion to its population, than any prince in Europe possesses.

Mr. Yorke, general Norton, sir J. M. Pulteney, and general Tarleton opposed Mr. Windham's plan. Several other gentlemen held a desultory conversation on the subject, when leave was given to bring in a bill to repeal the act of the 44th Geo. III.

CHAPTER IV.

Debates on Mr. Tierney's Motion for explaining the Treating Act—On the Woollen Manufacturers' Suspension Bill—Lord Henry Petty's Notice of the Budget—Mr. Rose's Observations thereon—Regulation of the Office of Treasurer of the Ordnance—Vote of Thanks to Admiral Duckworth, &c.—Budget opened, with subsequent Debates on its Principles—Debates on the Bill for regulating the Intercourse between America and the West-Indies.

ALTHOUGH we have not, as it will be seen, entered much at large into the discussion of bills that have been ultimately rejected by parliament, yet we have thought it right to deviate from the general rule with respect to Mr. Tierney's motion for explaining and regulating the "Treating Act," because we apprehend, that though it has been now rejected, yet the evils attending contested elections are still so great as must finally lead to some regulations on the subject: we have therefore given the arguments on both sides of the question. The discussion on the woollen manufacturers' suspension bill will interest many of our readers; the subject must, however, be resumed in a future volume. In the plan and debates on the budget all are concerned; it is right, therefore, that an ample view of its several parts should be found in our pages: nor have we been less anxious to collect the arguments of the various speakers on the bill for legalizing the intercourse between America and the West India islands, which met with considerable opposition from the commercial interests of the house.

March 10.—Mr. Tierney, pursuant to the notice he had formerly given, rose to bring forward his motion for leave to bring in a bill to explain and render more effectual an act passed in the reign of William III., for lessening the excessive expenses to candidates at elections for members to serve in parliament. Every gentleman with whom he had conversed on the subject agreed with him on the necessity of some measure for giving effect to an act of parliament, which had been found, by uniform experience, to fall in most cases greatly short of the object it avowed; but many were of opinion the attempt would be attended with difficulties scarcely surmountable. The object of the act in question, was to exempt candidates from the enormous demands to which they were liable, under the head of charges for the conveyance and travelling expenses of voters not resident at the place of election; and to prevent the system of bribery and corruption, which, under the pretence of such charges, might be and actually was carried on. The evils in those cases could not arise in places where the voters were all residents of the town or vicinage, but where persons claiming a right to vote at such elections resided at a distance, often at the extremity of a county, which constantly gave rise to scenes of confusion and enormous expense; for, in coming to give their votes at such elections, they uniformly claimed the expenses of their conveyance and travelling charges, and those upon the most extravagant scale, from the candidates for whom they chose to vote. Perhaps there might be no very great

great objection to allow the claim of a voter, coming from a distance to give his vote, at a considerable loss of time, to some reasonable allowance for travelling charges and necessary refreshment; but the usage of making such allowances had still thrown open a door to such extravagant demands on one hand, and gave such an opportunity for bribery on the other, that every fair-intending candidate must have long since wished to see some effectual check put to such a system. The chief difficulties had occurred in Westminster-hall, and the courts of common pleas and king's bench had differed materially in their decisions upon the subject. In the former court, an action had been brought in the case of Crickett and others, on the part of a publican, to recover from a candidate a sum for refreshments given to his voters; but chief justice Eyre was of opinion, the law could not sustain such a demand, and that it was contrary to the act of William III. Another case occurred in the court of king's bench, Guildhall: it was that of Smith and Seel, in which the elector had come from Durham, where he resided, to give his vote at Taunton, where he possessed a right of voting, for one of the candidates; but before he would give his vote he demanded thirty pounds for his conveyance and travelling expenses, and said he should not vote till he was paid. He was an itinerant musician! he had calculated the expense, and would not give his vote without receiving his demand. A suit was afterwards commenced against this man, upon the ground of bribery: but the chief justice then, in summing the evidence, found that a post-chaise from Durham to Taunton, at 18*d.* per mile, amounted to much the greater part of the charge; that the man's travelling charges must also be considered, and some little allowance made for junketing with his friends at a time of election; to which adding his loss of time, the charge altogether was not considered to be of that exorbitant kind that could justify a charge of corruption or bribery, and therefore the decision was in favour of the defendant. Notwithstanding, however, the decision of the court of king's bench in that case, every man must feel the excessive hardship imposed upon a candidate who stands the election for any place situated as Taunton is, if he were to be put to the expense of 30*l.* or 40*l.* for the conveyance of any voter from the most distant part of the country, merely because that voter chose, for his own interest or convenience, to reside out of the town where he claimed such vote, and in some other town at a distance where his mere residence gave him the right of another vote, as was precisely the case here. With respect to county elections, the case was certainly different in relation to the elector; because, voting from freeholds, often in remote parts of the country, upon which they resided, certainly it would be hard for them to travel at their own expense to a county election to vote for any candidate; and though there might be no strong objection for a reasonable allowance to the voter for conveyance, yet still it would be extremely difficult to draw the line of strict propriety in all cases, so as to guard against the abuses such a system admitted of: but upon the candidate the hardship must be still greater than in the other case, because the expenses must be incalculably more enormous. No man of moderate fortune, however respectable his talents and character, could

could pretend to stand the contest for a county against a wealthy rival. The strong point therefore to which he particularly objected, was the extreme hardship imposed upon the candidate, in being left open to the claims of the voter for his conveyance and travelling charges from one extremity of a county to the other, to exercise his own privilege, and for his own advantage. It was for this he wished a remedy; and so it was an effectual one, he should not be very fastidious as to the form. A plan had been heretofore proposed, for preventing the confusion and expense attendant on county elections, by enabling the electors to give their votes within their respective districts. He should have no objection even to such arrangement; but, from the principle avowed in the very preamble of the act to which he alluded, he held it to be the clear and obvious construction of that act, that the candidate in all events should not be charged with the expenses of conveying electors to gratify their own wishes, and, for their own advantage, to exercise their privileges. And whether the expense was to be defrayed by a county rate (though he was not quite agreed as to that), or what other mode should seem more eligible, the candidate should certainly be exempt. It might be objected, that such a construction would go to disfranchise the forty-shillings freeholders. But though that was by no means his wish, nor should he be inclined to vote for such a proposition if it were brought forward; yet he begged it might be recollected, that if the original institution of forty-shillings freeholders were considered, and the circumstances under which it took place, the original spirit of that measure would be found in no degree infringed by increasing the qualification to a much higher sum, and thereby removing, in a very great degree, the evil of which he now complained; for, if the comparative values of money in the reign of Henry VI. and at this day were duly considered, it would be found the depreciation was as fifteen to one, and consequently that a qualification of 30*l.* a year, at this day, was no more than adequate to one of 40*s.* in the former. Where then would be the hardship, if a man possessed of a freehold property of 30*l.* per annum were called on once in seven years to go at his own charge to give his vote at his county election? The effect of the present system, under which the number of 40*s.* freeholders had been so very greatly increased, was very considerably to decrease the number of candidates for elections, by the dread of the enormous expenses to be incurred by election contests; whereas the increase of qualification, by confining the elective franchise to that description of men by whom it was originally designed to be exercised, would open a wide door for admitting to that house an order of men he very much wished to see there—an order of men in which England more than any country of Europe abounded—namely, men of moderate fortune, independent principles, liberal education, and sound understanding; who well understood the constitution and the true interests of their country—and were firmly attached to the maintenance of the one and the promotion of the other. He quoted several instances in which the thanks of that house had been expressly voted at different times, after general election, to counties

and

and towns, which had returned their representatives to parliament free of any expense. Mr. Tierney concluded by arguing forcibly, that the construction which he wished to give this bill for exempting the candidate from expenses was the one avowed by the bill itself, in proof of which the house had twice since adopted resolutions to the like effect, one of which confined the expenses of the candidate to five pounds, and subsequently, as a matter of considerable indulgence, extended them to 10*l.*, in order that he might not be entangled in trivial objects, that might involve him in contest, or tend to vacate his election. The construction for which he contended was the only principle which could throw open a door for the admission into that house of men of sound principles, moderate fortunes, and interested in promoting the commerce, the agriculture, and the general welfare of the land, instead of their being excluded, as they are at present in many instances, by men without talent, without principle, without any feeling of interest in the welfare of their country, who have done no action nor manifested any wish to promote her prosperity, or possessed any other claim than their money to the right of representative. He concluded by moving for leave to bring in a bill to explain and render more effectual the aforesaid act.

Mr. Fox was certainly of opinion with the right hon. gentleman on many of the points he had stated, with respect to the heavy expenses to which candidates were put; but he felt it necessary to state thus early, that there were many other points upon which he differed in opinion from the right hon. gentleman, and that the difficulties over which he seemed to pass so lightly, were not so easily remedied as he seemed to imagine. The right hon. gentleman had expressed an opinion, that forty-shillings freeholders at this day were not the same kind of men originally intended under that qualification, and that the qualification ought to be raised to 30*l.* on account of the depreciation of money since the reign of Henry VI.: but he, for one, was not disposed to abridge the number of that class of voters, or to take away their franchises because of the scantiness of their property. He, too, was ready to recur to the origin of their franchises, and to compare it with the circumstances of the present day; and, from this comparison, he was rather rejoiced at their increase of numbers, at a period when the liberties and the constitution of this country were so much better understood than in the days of York and Lancaster, when their franchises were regulated under an aristocratical scheme, to abridge the rights of election. The right hon. gentleman, he believed, as he had professed, would not now vote to disfranchise them; but he (Mr. Fox) could not see the fairness of suggesting such a measure to others, if the right hon. gentleman thought it was one for which he himself deemed it improper to vote. He was very sensible, the right hon. gentleman's arguments would very strongly apply not only to York but to Lancaster, and to many other counties in this kingdom, and that some remedy was desirable. To a plan formerly proposed for taking the votes of the freeholders in their respective districts, or at their own residences, he was, therefore, no friend; but yet he should certainly vote for

such a regulation, in preference to any plan which should go to disfranchise any considerable number of forty-shillings freeholders; a consequence much worse, in his mind, than any inconvenience complained of on the part of the candidates. The right hon. gentleman had argued, that no man had a right to vote at an election for any town of which he was not a resident: but was he aware of the extent to which such a privation would go? or how could he reconcile the principle of disfranchising an elector, whose necessary avocations, or means of livelihood, should occasionally require his absence from the place whence he derived his right of franchise? He thought the right hon. gentleman, upon mature consideration, would not approve such a principle; for how would it operate on the militia man, who, for no other cause than his removal to a distant county for the service of his king and country, must forfeit his franchise, unless he chooses to travel at an expense wholly incompatible with his obvious circumstances in life? He stated these few objects merely that the right hon. gentleman might see he had in some degree considered the subject, and that the remedies were not quite so easy as he seemed to imagine. But if the qualification of the forty-shillings freeholders, agreeably to the suggestion of the right hon. gentleman, were to be raised to 30*l.* per annum, how was he to reconcile the continuance of the representative's qualification at 600*l.* for a county, and 300*l.* for a borough? For though he (Mr. Fox) should wish those qualifications still lower, and was as desirous as the right hon. gentleman to increase the number of candidates, and to open a wider door for the admission of such members to that house as he had described, yet surely men possessing qualifications no higher than 600 or 300*l.* a year were no more of the description of men at this day originally designated by those qualifications, than even the modern forty-shillings freeholders compared with the ancient: consequently, if the qualification of the one be advanced, so must that of the other in a limited ratio. He sincerely wished, with the hon. member, that the meaning of the act in question should not be left in doubt, and that no difficulties should stand in the way of committees in forming their decision: but he could not agree to disfranchise any man merely because he was poor. To any competent regulation clear of this, or of disfranchising any considerable number of voters in the country, he should have no objection.

Upon the 21st of March Mr. Tierney moved the second reading of this act; when

Mr. Fuller expressed his surprise, that the right hon. gentleman should submit such an important motion without saying one sentence upon the subject. To say much in its favour, he thought quite beyond the power of the right hon. gentleman or any other person. Indeed, it did not appear to his mind that such a measure could at all be sustained, for its tendency would be to disfranchise an immense proportion of the freeholders of the country. In the case even of the county he had the honour to represent (Sussex), what would be the fate of the poor freeholders who lived above eighty miles from the place of polling?—Why, that such persons, unable to defray the expense of the journey,

ney, would forfeit their votes. The same thing would, no doubt, happen in many, if not all other counties. It was enough that poor freeholders should be subject to the loss of time and the trouble of going to the hustings, without being called upon to submit to the expense of carriage from distant quarters. This expense was no material loss to the candidates, and it was to be recollected that the poor voters were only treated to this jaunt once in seven years. It would be cruel, then, to dash this trivial cup from the poor man's lips. The house should bear in mind the manner in which our sagacious enemy acted towards his people, particularly towards his soldiery, to every one of whom he occasionally appealed, complimenting him at once as the judge of his conduct, the means of his success, and the partaker of his glory. A similar policy should govern this country. Every Englishman should be taught to feel a common interest with his country and its legislature; and the best mode to encourage that feeling was by making every, even the poorest freeholder, an arbiter of the conduct of his representative. But the object of this bill would be to deprive the greater part of the poor freeholders of this important right. If such a bill were to pass, the effect would be to injure independent candidates—to exclude distant voters—and to leave the fate of an election generally to the decision of the mob of the town where it might take place. Thus, the man who could best harangue the mob, would probably be the successful candidate, to the exclusion of those independent men who were most worthy to be members of parliament; for those who would not submit to great trouble would have no chance of succeeding. Sir Edward Coke observed, that those men were not fit to be members of parliament who did not care whether they were so or not; and if this bill were to be adopted, such men would, in all likelihood, be utterly excluded; for, being prevented from paying for the conveyance of voters, being too proud to canvass, and unwilling to court the mere mob at the hustings, they would have but little chance of any voters at all.—Mr. Morris forcibly argued against the measure. His objections, he said, were so radical, that no alteration or amendment could reconcile him to its adoption, and therefore he felt this the proper stage to make his stand against it. If it were meant as a declaratory law, to explain the act of king William, he would resist it as totally unnecessary; and if meant to go further than that act, he would resist it as improper and unjust. The giving meat and drink to voters was already prohibited by the letter of the statute of William, and there, in his judgment, the law went far enough. If it proceeded the length of forbidding the conveyance of voters at the expense of candidates, he should sincerely regret it, and among others, for the reasons stated by the last speaker. It was impossible to say what mischiefs would result from the adoption of such a bill. A vast number of freeholders would be disfranchised, not for any improper act, but merely in consequence of their inability to defray the expense of their conveyance to the hustings. The right honourable mover was reported to have said, that the removal of a voter from the place where his right of voting lay was

a matter of option: but that was not the case. For the tradesman and the manufacturer must go where his industry may meet employment, he must shift his residence to follow the market. In many if not most instances, the change of residence on the part of voters is not a matter of choice but of necessity, oftentimes painful necessity, and yet this bill would aggravate such pain. In counties, the right hon. gentleman proposed the taking of the poll at different places, in order to obviate one of the most glaring objections to his bill; but such a multiplication of polling places would be productive of confusion, and of increased expense even to the candidates. The French scarcely valued such a thing as the elective franchise; but any man who had ever seen an election in this country must be sensible how different a feeling prevailed among Englishmen, how eagerly they crowded to the hustings, and how little they were in a state to be reconciled to the relinquishment of a right they so highly prized. He was glad to think on the estimation in which the people held this important privilege, and was always happy to perceive the enthusiasm which prevailed at popular elections. The learned gentleman concluded with stating, that he could not conceive the least mischief likely to arise to the freedom of election, merely from the candidates' paying the expense incurred by the carriage of poor voters to the hustings; while very great evils were to be apprehended, if, by disqualifying candidates for merely defraying such expenses, a vast number of voters should be precluded from the exercise of their franchise.—Mr. Francis said, with regard to the bill before the house, he wondered that such an idea as the disfranchisement of any body of the freeholders could enter into the mind of the right honourable mover of this bill. He rather thought his right honourable friend did not at all meditate such a thing, although such would be the particular result of his proposition. In conjunction with his right hon. friend, he remembered to have fought many battles in the cause of parliamentary reform, and he recollected that one of the strongest admonitions of the society (the Friends of the People) with which they acted was—"not to forget their principles in prosperity;" though, to be sure, if he (Mr. F.) were to forget his principles, they were not likely to be driven into oblivion by prosperity. But to return to the association he alluded to, its great object notoriously was to extend the right of voting to every species of property, but further than that not to go. There were many, no doubt, who would go further, but he was not one. He was, perhaps, considered too moderate; for he was always adverse to universal suffrage, because the idea of such a change struck him to be extremely absurd, and the danger enormous. To be sure, this idea had now grown out of fashion. But even when it was in some degree popular, his opinion uniformly was, that power must attach to property, and therefore that nothing could be gained by the change proposed. For, if power were transferred from the men of property to the populace, the property would soon follow the power. He could never, indeed, reconcile to his mind, that any men who walked the street, that chimney-sweepers and coachmen should have a right to vote. In fact, that

valuable

valuable right was never carried to such an extreme in any nation. Even in the Roman republic there were two classes of men who were excluded from all civil privileges, excepting only the protection of the law; the one were the *capita censi*, who were merely reckoned upon for servile work; and the other *proletarii*, who were deemed fit only to get children. Exclusion from the privileges of the people had always existed in all well-regulated communities, and they were extremely proper for the security both of freedom and property. Reverting to the measure now under discussion, the honourable gentleman expressed his surprise that his right hon. friend should bring forward a proposition so contradictory to the principle to which he had alluded, respecting the extension of the right of voting to every species of property. If it were the object of the right honourable gentleman to deprive the forty-shillings freeholders of their right of voting, and to confine that right to all freeholders above thirty pounds, he should at once avow it, and in which he would have a great contradiction to reconcile. This bill was of such a nature as to give some ground for suspicion; and if the right honourable gentleman did not really entertain the intention alluded to, he should not leave himself open to misconstruction.

Mr. Tierney disclaimed the slightest intention of proposing to disfranchise freeholders under thirty pounds. On the contrary, if a proposition of that nature were brought forward, he would be among the first to oppose it.

Sir R. Buxton entreated the house not lightly to reject a measure which he thought perfectly congenial with the spirit of the British constitution. According to the principles of that constitution, a man should come into that house free and independent, and the constituent who sent him there should be free and independent also. Now the former could not be so, if he were to pay an enormous sum of money for his election; nor could the latter be so, if he were to receive money for his vote: and, disguise it as gentlemen please, the expense of carriage was a species of payment to the voter. There was a time, when, instead of members paying for their election, they were paid for their attendance; and he would be glad to see the same practice again. The hon. baronet repeated his wish. Members would be likely to enter that house not with a view to derive any emoluments from the state, but for the benefit of the country.—Mr. George Rose said that he never understood it to be the fixed general opinion of the lawyers, that defraying the travelling charges of voters was not a violation of the treating act. All doubts upon this subject would be removed by the measure under discussion. He trusted that the house would pause before they rejected such a proposition, and begged them to consider, that, if the expense of carriages were allowed, it was nonsense to suppose that refreshment and treating by the way would not follow; also whether a compensation for loss of time, which would lead to complete bribery, might not be the next proposition.—Mr. Courtenay remarked upon the purity of the principle, and the refinement of notion, which the house had witnessed in the speech of the hon. baronet over the way, and the right hon. gentleman who had just followed him. Really those two gentlemen were not only so pure themselves, but they seemed to

think they were addressing themselves to an angelic audience. No doubt the hon. baronet came into that house with the purest and most disinterested views, and had nothing in view but the good of his country; and the right hon. gentleman who followed him was inspired with equal purity, and equally discarded every consideration but that of patriotism. That right hon. gentleman had stated, that it was nonsense to suppose that a voter would go from one place to another to give his vote without receiving something more than the law would allow. No doubt the right hon. gentleman spoke from his experience. He was, it might be presumed, tolerably competent to judge upon such a subject, and so, perhaps, were others also. If, in reality, every candidate were disqualified who paid the travelling expense of poor voters to the hustings, nay, something more, the right hon. gentleman would admit that the benches on both sides would be rather thinner. For himself, he would say, that he did not like this extreme solicitude to exclude the poor from the gratification usually enjoyed at popular elections. They seldom had such opportunities, and when they offered they ought not to be shut out from them, merely on the pretence of seeking for purity. He could not approve of the use of a filtering-stone to clear away all the mud of poverty, vulgar mirth, &c. from popular elections, and let nothing but the pure water of affluence, good order, &c. trickle down to invigorate the members of that house. The right hon. mover had said, that he would not introduce a bill to disqualify freeholders under thirty pounds. But it would not perhaps be amiss to call to mind, that the bill of Henry VI. confining the right of voting to freeholders of forty shillings, was itself a bill of disqualification; and it was one advantage resulting from the depreciation of money, that the object of that disqualification law had in a great measure been defeated. But to return to the bill before the house, which he felt it his duty to resist, notwithstanding the high degree of regard which he entertained for his right hon. friend with whom it originated; he should get rid of it with a couplet of Dryden's, which was applied in the days of Charles II. to a measure similarly calculated to interfere with the popular enjoyments at elections—

> "....where every man enjoys
> His liberty, his property, and noise."

The attorney-general hoped to be forgiven while he in as few words as possible stated the situation in which the law of the case at present stood. The only instance in which a solemn decision on the point had taken place was that before alluded to, in the court of common pleas, in which the law was laid down as stated by his right hon. friend who introduced the bill: as to what had passed at nisi prius, he did not pretend to know. As to the state of the practices before the committees of the house of commons, that, he confessed, had been in general contrary to the decision of the court of common pleas. He had had considerable practice in matters of that kind, and he had seen several committees find that the providing of carriages to electors who resided at a distance, or supplying them with the means of providing such carriages, were not violations of the act of king William. Other committees he had seen find, that supporting such electors while absent from home, and enabling them again to return

return to the place from whence they came, were also not to be esteemed as falling under the act. For twenty years, he was certain, that had been the general plan pursued by committees: that is to say, elections were not declared void on account of such practices. But the difficulty had always been, what was properly to be ascribed to those motives, and if, under pretence of such allowance, any corruption had been exercised. Where no such excess was found, the facts already stated were not esteemed grounds on which the elections should be declared void. This was an extremely singular state of the law between our courts of justice and our parliamentary judicature. In the courts of law, an action for these expenses could not be entertained; in our parliamentary judicature, they were held to be perfectly legal. He had indeed seen committees who thought otherwise, and who had esteemed such furnishings to come within the statute of William. But what must be the case of the candidate in such an uncertain state of matters? or what could a person to whom he applied for advice say to him? He might tell him—I cannot advise you, the general turn of the opinion of the committees is so and so—that, by the act of king William, it was, at least, extremely questionable how far he was entitled to grant any of those furnishings; but still he could give him no precise advice by which he might not be injured either in a court of law or by a parliamentary judicature. Miserable, in such a state as this, must the case of the candidate be. For these reasons he wished the bill might be allowed to go through a committee, where it would be in the power of the house to determine the general rule, or admeasurement, by which conveyances for electors were to be regulated. He could not approve of the bill as it now stood. If it were to be laid down, that a candidate by conveying an elector on a coach-box from the place of his residence to the scene of the election forfeits his seat, he should esteem it, not the disfranchisement of the electors but of the candidates.

Mr. Tierney replied; and the question being then loudly called for, the house divided, when the numbers appeared,

Ayes, for the second reading, -	73
Noes, - - - - - - - - - - - - -	17
Majority for the bill, - - -	56

The bill was then read the second time, and committed: it was again discussed and re-committed for the purpose of divers amendments on the 29th of April. The amendments being received, and the bill engrossed, Mr. Tierney on the 7th of June moved that it be read a third time; when

Mr. Blackburne observed that it was now more than declaratory, for it allowed carriages to the voters, which were not warranted by the act of king William. He approved the bill in its original state, but the amendment had changed its nature, and would leave the hon. mover without support from either side of the house.

Several other members opposed the third reading.

Mr. Tierney said he felt himself in an extraordinary situation, for, having brought in a bill to which there were some objections, by agreeing to remove these he lost the support that he had before, without gaining any thing to counterbalance the loss. Having entered at some length on the subject, he concluded with saying, that if the house did

not pass the bill, great mischief would be done, for it would be understood that henceforth money might be given freely.

After some observations from Mr. Fox, who opposed the bill because it went to diminish the number of electors, which, he said, ought to be particularly guarded against, the house divided: for the third reading 17; against it 42. The bill was accordingly thrown out.

Lord Temple on the 12th of March moved the commitment of the woollen manufacturers' suspension bill, which renewed a discussion that had already occupied much of the attention of the house. His lordship contented himself with barely making the motion; upon which

Mr. Moore said he did not mean to oppose the bill, but to make it more perfect. The suspension had at first taken place only for six months, before the end of which time it was expected that this business would have been settled; but it was still in the same situation as at the beginning. He had no objection to suspend the operations of the act against encroachments that had already taken place; but it was fair, that while the suspension continued, no further encroachment should be allowed, till the house came to a decision. He hoped that the members of the counties who contended for the FEW, would concede thus far to him who supported the MANY.

Mr. Lascelles, in consequence of the allusion to the *few* and the *many*, disclaimed all party views in this business: it was a subject of too much importance to admit of them. There were thirteen or fourteen statutes regulating that trade, made at an early period, most of which were not applicable to it in its present state, and doubts were entertained as to the propriety of the rest. All he wished was to have the affair investigated by government, as a great question of national policy.

Mr. Wilberforce thought the interests of the few and the many, in this case, perfectly consistent. It was the obvious interest of both that the trade should flourish. The hon. gentleman did not observe, perhaps, that he was counsel for many master manufacturers, who carried on the trade on a small scale, in their own houses, and amidst their own families, exhibiting a picture of industry, comfort, morality, and independence, of which they who had not seen them could scarcely form an idea. He did not wish to impair these, but to advance them; not, however, by extending restrictions, but in the manner in which the interests of commerce could best be promoted. He wished the affair to undergo the fullest elucidation on an early day, and to this discussion none would come with a more sincere desire of doing justice to all parties than himself; and he knew them so well that he could venture to say, that whatever, after mature deliberation, might be the decision of parliament, they would acquiesce in it.

After some other observations from Mr. Brooke, Mr. Moore, and Mr. Wilberforce, lord Temple gave notice that on the following Friday he would move for a committee to examine into the state of the woollen manufacture. On that day, when his lordship had made the motion,

Lord H. Petty admitted the necessity of such a committee. For three years the suspension law had been enacted, without in the least tending to remove or even abate the evil complained of. A suspension struck

struck him to be generally exceptionable; but, when applied to evils which it held out no prospect of curing, it was peculiarly unconstitutional and mischievous Evils of such a nature as those to which the proposed committee was to direct its inquiry, ought not to be temporised with. They should be met boldly; and when the committee should bring up its report, he trusted that the house would determine to face it with firmness, and resolve to put an end to an evil which had so long kept the country in a state of fermentation. This was the interest of the employers, the employed, and the country.

Mr. Lascelles said that the evil which it was the object of the proposed committee to correct, did not originate in the suspension law, but that this law was rendered necessary by the existence, and calculated to restrain the operation of this evil. The fact was, that a number of statutes existed, which were quite inapplicable to the present state of the woollen manufactures. Yet upon these obsolete statutes several prosecutions had been commenced; and to guard against the effects of such prosecutions the suspension law was introduced. Still he felt that it could serve only as a temporary expedient, until, as in this instance, it was determined fully to investigate the subject, and to decide what laws should continue in force, or whether any new laws should be enacted with regard to the state of the woollen manufacture.

The committee was appointed, and the several petitions from the manufacturers of Gloucestershire, Yorkshire, Lancashire, &c. were referred to it. The committee was invested with the power of reporting their opinion as to what statutes ought to be repealed, continued, or enacted upon the subject.

The suspension bill was afterwards carried through the house, and sent to the lords, by whom counsel was heard on both sides of the question; and on the 20th of March it was read a third time and passed.

On the 21st of March lord Hen. Petty gave notice that on Friday he should bring forward the ways and means for the year, and make the statement which was commonly denominated the budget. Upon which

Mr. Rose asked if it was intended to bring forward the army estimates for the year, before the motion of which the noble lord had given notice, as no instance had occurred since the revolution, of the budget having been submitted to parliament until the amount of the military expense of the country was precisely stated.

No satisfactory answer having been given to this observation, Mr. Rose on the 24th rose again to state, as the mature result of a fuller consideration on the subject, that, upon the deepest researches he had been able to make, he found there was no instance of bringing forward the ways and means for the year, before all the estimates for the public service of the year were fairly before the house. This, therefore, must afford a very strong ground of objection to the noble lord's proceeding in the manner he proposed. He was aware that the supply wanted was 24,415,000*l.*, toward which the war taxes would amount to fourteen millions, and this sum would very greatly exceed the supply. Therefore, until the house should be in possession of the military and other estimates completely

for

for the year, they could not know for what purpose so large an exceeding was intended.

Lord Henry Petty answered, it was his only wish to state to the house fully the objects of public expense, and the ways and means by which he proposed to meet them.

After a short conversation on this subject the speaker interfered, as there was no motion before the house; upon which

Lord H. Petty moved for the house to go into a committee on the bill for the better regulation of the office of treasurer of the ordnance, the objects of which were, 1. That the house might have under its view a correct regulation in the mode of expenditure, for such sums of the public money as it should think proper to vote for this branch of public service: and, 2. For securing the responsibility of the public officer charged with the disbursement of such expenditure; and to prevent, as far as possible, the misapplication of money intrusted to his charge.

The house resolved itself into a committee, and after a short debate the subject was postponed.

On the 24th lord Grenville in the house of peers, and on the next day Mr. Grey in the commons, moved a vote of thanks to admirals Duckworth, Cochrane, and Louis, on account of the late successes in the West Indies, which in both instances was carried unanimously; and on the 28th a message was brought down from his majesty, stating his intention of settling a pension of 1000*l.* a year, for life, on sir J. Duckworth. As soon as the message was agreed to be taken into consideration,

Lord Henry Petty rose to state the supplies that would be necessary for the year, and the ways and means that were proposed to meet them. He felt that a very arduous duty was imposed upon him, and he trusted he should receive, as he was conscious he should require, the whole attention and indulgence of the house. He should not go to any length in observation, and much less in speculations, not only from fear of detaining the house unnecessarily, but because he knew how infinitely more important and interesting a plain statement of facts must be, than any speculation in which he might otherwise feel disposed to indulge. He should first state the amount of the national debt, and afterwards, the means which the country is possessed of, both to meet the interest of the debt, and to operate its final extinction. To meet the interest of the debt, the country looked to the consolidated fund; but for the final extinction of it, it looked to the operation of the sinking fund. On the 1st of January 1806, the amount of the funded debt was 517,280,000*l.*, and there had been redeemed by the commissioners for the reduction of the national debt 123,476,000*l.* Such was the present state of the funded debt, and the operation of that sinking fund which had been established for its extinction. He next proceeded to the statement of the amount of the unfunded debt, which on the 5th of January 1805 amounted, after several deductions for anticipations, to 20,305,586*l.* The unfunded debt had also increased in the course of the last year, and amounted on the 1st of January 1806 (after making similar deductions) to 23,165,747*l.* It would therefore appear, that the whole increase, which had taken place during

during the course of last year in the unfunded debt, was 2,863,161*l.* After having thus stated the amount of the whole of the debt, it became his duty to show the house, that the country possessed the fair means of supporting the interest of this debt, great as it undoubtedly was, and for its extinction by the means of the sinking fund. The permanent taxes amounted to 32,535,971*l.*, from which, after deductions for different miscellaneous services, there remained of the consolidated fund 30,729,321*l.*, upon which was charged the interest of the national debt, amounting to 23,172,730*l.*: it therefore appeared, that the surplus of the consolidated fund, which would go to the extinction of the debt, amounted to 7,566,591*l*, which bore to the whole debt a proportion of 1 to 68. He thought that, after having made this statement, it was impossible for him to make a better eulogium on the institution of the sinking fund, than by showing what it had already done to prevent the accumulation of the debt, and how much of it had actually been extinguished by its operation. The benefits of this wise institution were not merely prospective and in promise, but the country had already derived the most considerable advantges from it. It was a system which the nation should adhere and cling to, not merely from the considerations of good faith to those who had advanced their money on the credit of its constant operation, and the security it afforded to the financial resources of the country, but they should be attached to it from the advantages that had been found to result from it, and from its positive and tried utility. He next proceeded to state the expenditure of the year 1805, and compare it with the estimated expenditure of the present year. There was a very slight difference between the expenditure of the last year, and that which was estimated for the present. Although in some points there was an increase of expense, yet in others there was a diminution which nearly balanced it. The estimated supplies of the present year would be for the joint charge of England and Ireland, 43,669,000*l.* Of this total sum, the supplies to be voted for the navy would be (exclusive of the ordnance) 15,281,000*l.*: for the army of England and Ireland, about 18,500,000*l.* Although he could not then have the satisfaction of stating the precise services to which that sum would be applied, or even the exact amount of the estimated expense of the army, he could state that the sum he had mentioned would be very nearly what the army estimates of the year would amount to. The expense, it would be seen, did not much exceed that of the former year, as the excess in some instances would be corrected by the diminution in others. For the ordnance, including that for the sea service, the estimate was 4,718,000*l.* The miscellaneous services for England and Ireland would be 2,170,000*l.* Under this general head of miscellaneous services would be brought the expense that he was sure the house would gladly agree to: in the first place, of a provision for the family of the late lord viscount Nelson; and in the second place, to carry into effect the intention of his majesty in making an ample compensation to the brave and loyal seamen who had fought upon that memorable occasion, and were not sufficiently rewarded by the captures

tures that had been made. There was an arrear of subsidies to foreign powers, which might be estimated at a million, and there was to be a vote of credit of two millions, 1,400,000*l.* of which would be for England, and 600,000*l.* for Ireland. These sums, taken together, amounted to the sum he had stated, as the total of the joint charge of England and Ireland. To this were to be added the separate charges of England, which were, in the first place, the sum of one million to the East India company. It would be recollected, that a considerable time had now elapsed since commissioners had been appointed for settling the account between the country and the East India company. Another sum of a million had been paid before in 1803. There was also a deficiency in the malt duty, for the year 1805, of 340,000*l.* and in the ways and means of 1,707,000*l.* The interest on exchequer bills was a million, and 1,200,000*l.* was required to pay debentures on the loyalty loan. These sums, being added to the former, would make the total of the supplies for the year amount to 48,916,000*l.*; but when from that sum was deducted 5,137,528*l.*, being the proportion for Ireland, there remained, as the supplies to be furnished by England, 43,618,472*l.*

WAYS AND MEANS.

In order to meet this supply, the ways and means were, 1st, the malt and personal estate duties, amounting to 2,750,000*l.* The next article was one million arising from the produce of the ships captured before the commencement of the war. It was clear, that of this million, Ireland was entitled to her proportion of two-seventeenths. The profits of the lottery he should calculate at 380,000*l.* The profits of the lotteries for the year 1805 were 387,000*l.*, and he saw no reason to suppose that the lotteries of the present year would not be equally productive. He should next state the loan for twenty millions (two millions being for Ireland), which he had concluded that morning upon terms which he trusted would be considered advantageous to the country, and satisfactory to the house, and which he was informed had also turned out to be profitable to those who had subscribed for it. The terms were, that for every 100*l.* the subscribers should have 100*l.* in the consols, and 66*l.* in the 3 per cent. reduced, which would make the interest for the money advanced 4*l.* 19*s.* 7*d.* for every 100*l.* As to the arrears that were due on account of the subsidies to foreign powers, it was a matter of extreme difficulty, from the nature of the treaties, and the manner in which they were made, to ascertain precisely the amount of them; he considered them, however, at about a million. The war taxes was the next and most prominent article among the ways and means. All those reasons which induced the house to approve of the introduction of the system of war taxes, must now operate with additional force for continuing them and carrying them into full effect. It was in contemplation of the enormous amount of the national debt, and to prevent its further increase, that the system was first adopted of raising within the year a considerable part of the supplies of the year. This system necessarily introduced something of direct taxation. It was needless to dwell upon the efforts that had been made for this purpose, in the assessed

sessed taxes, the income tax, and the property tax. In those efforts it was sufficiently apparent, that in endeavouring to prevent the accumulation of the national debt, the house conceived that it was contending with the most formidable enemy that this country had. In the year 1793, the debt of this country was only 227,000,000*l.*, but in 1803 it was 480,572,000*l.*, being an increase of 253,372,000*l.* in the short space of ten years. It appeared, then, that in those ten years the average increase of the debt was twenty-five millions annually. The debt at present amounted to 517,280,526*l.* From this statement it appeared, that, in the present war, the annual average increase of the debt is only twelve millions, whereas in the former war it was twenty-five millions. The reason of this great difference was to be accounted for principally by the system of war taxes. Not only the credit and honour of the country, but its strength and security, derived such great advantages from this system, that it ought still to be persevered in. The first and most productive of those taxes was the property tax. Without pretending to say, that it was the most perfect that could be devised, and the most fair and equal that could be suggested, he must say, that comparatively with the preceding ones of the assessed taxes, and the income tax, it was the most equal and the most practicable. Besides its advantage in principle, it had another advantage, that it was now a regularly established tax, and considerable time and pains had been given to bring it to be productive with as little inconvenience as possible. It was proposed then, at present, that this tax should be now raised to ten per cent. He thought it would be better to carry it at once to that point which might be considered its limit, instead of proceeding by gradual augmentations, which would make the public uncertain to what point the tax would ultimately be carried. It appeared to him that 10 per cent. was the natural limit, beyond which it ought not to pass, and that it would be better and more satisfactory to the general feelings to bring it at once to that point. In the execution of this act, the inconvenience, delay, uncertainty, and frauds, which so much prevailed, were principally owing to the many exemptions which were given in the present act, and the difficulty that the commissioners found in ascertaining what claims of exemptions they should allow, and what they should disallow. It was proposed, therefore, to take away those exemptions; but as that would bear hard on a class that were entitled to the support of the house, he meant to propose that they should be indemnified in another manner. The class that he thought ought to be protected from suffering by this alteration were small tradesmen and small annuitants. Those who had no property, and lived solely by the profits of their labour, were in this respect circumstanced differently from the landed gentleman, or the man of personal property: it was an easy matter for the latter class to add labour to property (if they chose it), but it was difficult indeed for the other class to add property to labour, whatever exertions they might make for that purpose. For the relief of the small annuitants, it was intended to propose, that after they

they had paid their property tax, upon their producing at the tax-office the will or document under which they held an annuity not exceeding 50*l.* per annum, the tax-office should be authorized to make repayments. He should propose to add another million to the war taxes by increasing the customs and excise duties; seven hundred thousand of which sum should be from the customs, and three hundred thousand from the excise.

Having thus explained to the house some of the means by which he intended to meet the supplies necessary for the public service, he would next draw its attention to the new taxes which he meant to propose. The first would be an addition to the duty upon wine, the amount of which he calculated at 500,000*l.* The next would be a duty of 40*s.* per ton upon pig-iron. A few years ago, the quantity of pig-iron manufactured in this country amounted to upwards of 200,000 tons a year: he expected it would produce at least 500,000*l.* It was his intention also to protect the persons engaged in that branch of trade, by a countervailing duty upon foreign iron. The third partook rather of the nature of a regulation than a new tax; it was an equalization of the duties upon tea, which he calculated would produce 70,000*l.* per annum. The fourth new tax he had to propose was a duty upon appraisements. Property disposed of by auction was subject to a tax; and he saw no reason, when it became necessary, why property sold by appraisement, which was in its nature a species of private auction, should be exempt from a duty. This, he calculated, would produce about 66,000*l.*, amounting to about one-half the auction duty collected annually. The total of the new taxes therefore would be—

On Wine — —	£.500,000
Pig-iron —	500,000
Equalization of tea-duty —	70,000
Appraisements	66,000
Making a total of	1,136,000

He wished that he had been able to state to the house, that the burthens which he had found himself under the necessity of proposing to impose upon the country were light, but it was impossible for him to do so. They must be heavily felt by many of those classes upon which they must necessarily fall; but he was not without hopes that they would be borne willingly and cheerfully. He would not think so unworthily of his country, as to allow himself to suppose for a moment, that the burthens which the public service required, would not be supported with that fortitude, constancy, and perseverance, which were the noble characteristics of the nation in circumstances of peril or exigency. There never was a period at which a firm display of those great qualities was more necessary, if they considered the crisis in which they were placed with respect to Europe. While he looked to that confidence which he had reason to suppose the people entertained, that the money which would be drawn from them would be strictly appropriated and œconomically applied, he was convinced that every man would submit to his share of the public burthens with alacrity. If ever men were committed to principles of œconomy, those with whom he had the honour of acting were pledged to them. Should they deviate from them

them, instead of that honest fame, of which all men were more or less desirous, they would incur the shame and disgrace of having acted contrary to the principles which they had professed and recommended.

Mr. Francis rose to express his approbation of the able manner in which the noble lord had brought forward his budget. In that able statement the noble lord had by no means disappointed his expectations, or excited his surprise; for it was no more than he was taught to hope, from his lucid mind and eminent talents. There were, however, two passages in the speech of the noble lord, to which he wished to draw the attention of the house; the one of which gave him much satisfaction, and the other extreme regret. The first was that wherein the noble lord had stated his success in having induced the directors of the bank of England to take upon them the business of receiving the duty upon dividends on the property in their hands, whereby so considerable a saving would be effected to the public, and so much of evasion of the property tax avoided; a measure which the noble lord's predecessor had stated to the house upon a former occasion, that he had endeavoured to induce the bank directors to undertake, but in vain. The other passage, upon which he felt regret, on account of the severity that must attach upon so many classes of the community, was the sudden advance of the property tax to ten per cent. per annum: he could not coincide in the sentiment expressed by the noble lord, that a gradual increase of the tax would have been more objectionable, while to double the tax at once would be the mode of reconciling it to the public; from this part of the noble lord's proposition he could not withhold his dissent.

Messrs. Rose, Percival, Fox, sir William Young, and other gentlemen, took part in the discussion, after which the several resolutions were read and agreed to; but on the 31st the subject was debated more at large. On that day

Mr. Francis rose and observed, that whatever difference of opinion might arise between the noble lord and him, the public service would be the great object which both of them would have in view. It was a maxim founded on a knowledge of mankind, and he had now lived long enough to be enabled to speak from experience, that it was easy to do wrong at first, he did not mean moral wrong, but error and mistake, and that numberless difficulties arose out of such wrong, which could scarcely be got over, but which might have easily been prevented by a little more care and attention at the outset. These were general reflections merely, which applied to all times and to all administrations, but which were peculiarly applicable now, as the difficulties of the country had increased, and were still increasing. There were two points which, in his opinion, were deserving of the particular attention of the house. The first related to those who were declared entitled to exemptions under the property tax. It was said by the noble lord, that those who were possessed of small annuities above 50*l.* a year were to pay the tenth of their income, in the first instance, and, upon producing the deeds or wills under which they held them, they were to be entitled to the proper repayment. The difficulties here would certainly be so great, that those persons who had

had any exemptions in this way, would not be able to avail themselves of them. Here was a man who had a small annuity; he was required to pay; but in multitudes of instances it would happen that it would be impossible for such persons to lay down the money. This surely was not a reasonable thing. But then there was another difficulty. Suppose the man should be enabled to pay the money, the process which would be necessary to get the repayment would often be so tedious and vexatious, that he would rather give it up altogether. He himself had sometimes been induced rather to give up his claims to repayments, when he had been overcharged, than undergo the fatigue and trouble necessary to do himself justice. What then would be the situation of a poor man who might perhaps have a trade to attend to? The noble lord had been charged with having thrown a gloom over the situation of the country with respect to its finances. He did not think that the charge was well founded. But if the noble lord had done so, he would probably have been nearer the truth. He could not believe that the country could be in prosperity that presented any of the following features. The poor were not supported by their industry, but we were obliged to share with them our incomes to the amount of six millions. This did not look like national prosperity. It was true that in this capital he never saw such an appearance of abundance as he observed at present, but he believed that this did not extend beyond the capital. In the history of France it would be found, that under the regency of the duke of Orleans, Paris was wallowing in luxury and apparent wealth, at the time when the Mississippi scheme was set on foot. But what happened next day? Why, down went the Mississippi paper, and down went Paris too. This, then, was not a criterion of national prosperity. He believed that the appearance of abundance in London was supported in much the same way as it was at Paris, by an immense circulation of paper, and our paper might be as precarious as that of Paris was. He thought that between the operation of the paper and the property tax pressing so heavily upon us, no man could know to-day what his property might be to-morrow. There was only one remedy for the danger which was hanging over us on this account; and unless this remedy could be had recourse to, he desired to hear no more about the prosperity of the country. This remedy, after long meditation upon the subject, he believed to be the resumption of payments in specie by the bank of England. Without this, he was afraid that there was no salvation from the great danger that threatened us. An act of parliament might protect the bank, but it could not justify it. The legislature, he contended, could not, in consistency with the plainest maxims of justice, force him to take paper instead of specie. He now came to the taxes. He did not mean to enter upon this or that tax, he objected to them all; to all those which went to pay the 1,136,000*l.* interest on the loan. Now this brought him to the sinking fund. He would say what he thought of it. It was a thing which required no great genius. Sir Robert Walpole and others had such a thing in contemplation. But still he gave credit to the person who established it, not for the design, but the effects of it. Now eight millions were regularly

regularly expended on this fund, and what was the effect of it? The only effect was, that it kept the three per cents. at 60. For this the nation was taxed; and when the fund increased, then the taxes would increase. When he asked whether he was the better for it? he was answered, that to be sure he paid more taxes, but that he was the better for it, because the fund had a more favourable relation to the existing debt. He confessed this; but he was neither richer nor poorer than before. But the public ought not to be crushed with taxes to support this; and the conclusion was, that some relief ought to be given to the people in the matter of taxation. How was this to be done? Why, by taking off part of the taxes which went to supply the sinking fund, unless a necessity could be shown for this; and then there must be an end of all argument.

Mr. Secretary Fox said, he should not trouble the house at any length. What the honourable gentleman objected to was not any thing new that was introduced in the present plan, but it was part of the system which had hitherto been pursued. Under the former acts, a person who had only an income of 40*l.* a year by annuity was exempted from the tax, and yet the tax was, in the first instance, collected from the person who granted the annuity. He knew many instances of this kind in the small annuities granted by the duke of Bedford, and other noblemen. The income tax operated immediately on the annuity, and was collected from the person who granted it; but if it afterwards appeared that the annuitant had no other income than this annuity, he was repaid the amount of the tax. As to the sinking fund, the honourable gentleman said, that ministers were always fond of extolling it: for his part, he must say, that he always did extol it, at the time that he was unconnected with ministers as well as at present. He did not mean to say, that the sinking fund was any extraordinary discovery that required uncommon genius: he was convinced, that any administration that could have been formed immediately after the American war, must have introduced the system of a sinking fund of some kind or other. Whether it would have been arranged as it now is, he could not say; but, although the creation of a sinking fund was at that time a matter of obvious necessity, yet he always thought that the man who did introduce the system, and place it on a proper foundation, was deserving of considerable praise; and, in that point of view, he at all times was ready to express his sense of the merit of the right honourable gentleman (now no more) who introduced it. If the sinking fund had no other effect than what had been stated, of keeping the three per cent. consols at sixty pounds, which would otherwise be much lower, it was evident that this alone was so far a positive relief to the country, that when the funds were high, the loans were contracted for at a smaller interest, and, consequently, the taxes which were to be raised for meeting that interest were also smaller. It was a matter merely of arithmetical calculation. If, instead of sixty pounds, the consols were at fifty pounds, it was most evident that the loans would be made on more disadvantageous terms. He knew that there were many able men who doubted the advantages of the sinking fund, but nothing that

he had ever heard had either altered his conviction, or even raised a doubt upon his mind. He would not say, that because it was now necessary to apply the whole of the sinking fund to the reduction of the debt, it might not be possible that the time would arrive when it would not be necessary. He knew that it was in the contemplation of that right honourable gentleman who introduced the sinking fund, that times of prosperity might come, when part of this fund might properly be applied to the reduction of the taxes, and lightening the burdens of the nation; but he could by no means think that this time had yet arrived. With respect to what had been suggested, as the only remedy for all the evils of the nation, the taking off the restriction upon the bank, he certainly wished to see that restriction at an end, and had often opposed it as unnecessary. As to the property tax, he had always opposed the gradual augmentation. He thought it was better at once to raise it to that sum which was likely to be its limit, and he thought generally, it would be the best way in the commencement of every war that the nation should know at once nearly the extent of the war taxes, which it would be called upon to pay. He thought these taxes should be settled for four or five years, if the war should last so long, and that people should not be alarmed with the fear of perpetual augmentations.

Mr. Huskisson trusted he should meet with the indulgence of the house, while he submitted to them the objections which occurred to him on some of the statements made by the noble lord previous to his moving the resolutions. But his observation should principally relate to what had been represented as the deficiencies of last year. The statement of the noble lord had made a considerable impression on his mind. It seemed to follow from his representation, either that the late chancellor of the exchequer had made an inadequate provision for the expenditure of the year, or that the ways and means had not been sufficiently productive; or, lastly, that his late illustrious friend had shrunk from his duty, in not making provision for all the demands which he foresaw as likely to be made on the public. He should, therefore, trouble the house with some remarks on the various items of deficiency, as they had been stated by the noble lord. The first was a deficiency in the produce of the land and malt duties; but this had existed every year since the tax was first imposed, and therefore could not be considered as a charge particularly thrown upon the present ministers. The second was the ordnance charges of last year, which remained unprovided for, to the amount of 560,000*l*. This, however, from a reference to past years, in which these charges had been much more considerable, might be proved to be no unusual circumstance. Again, the million to be paid to the East India company, which the noble lord had mentioned as one of the charges of the present year, could not be considered as an arrear of the last year, but as an incidental charge, which could only be provided for after it was ascertained. He had thought it necessary to make these observations on the deficiencies to be provided for in the present year, though he could not suppose they were brought forward by the noble lord with the invidious design of reflecting on the memory of his late illustrious

illustrious friend. The provision made for the family of lord Nelson was an incidental expense of the present year, similar to that which he had last mentioned. The next item of deficiency which had been mentioned was one million, which would be necessary for fulfilling our engagements with continental powers. The impression produced by this statement was, that the vote of credit for three millions and a half had been expended in those subsidies, and that one million more remained to be provided for: but the fact was, that on the 5th of January, 1806, there remained in the exchequer the sum of 1,600,000*l.* of the money raised on the vote of credit, which had been partly appropriated to other uses. The next item was, a deficiency in the ways and means of last year: but this deficiency, he contended, had generally occurred, and must always be looked for. The sum of one million, being part of the vote of credit, had been applied to the service of the navy for the present year, and therefore might be fairly considered as part of the ways and means.

Lord H. Petty in reply said, that the account of deficiencies had not been brought forward with a view of throwing any blame on the late chancellor of the exchequer. Had such been the intention, the sum total alone of their amount would have been mentioned; instead of which, every item was specified, and the house furnished with the means of judging concerning them. In the statement which he had submitted to the house, he had no view of inculpation whatever, but was only performing that duty which he owed to the house, and to the country, in laying before them the deficiencies which remained to be provided for. But if a defence was made where no attack was intended, it would be necessary to repeat what supplies were not provided for last year. He then entered into various calculations, showing that the arrears of last year amounted to about seven millions; to provide for which there were only assets to the amount of between two and three millions: so that more than four millions remained to be provided for. On the whole, when laying before the house a view of the deficiencies to be provided for, he had merely done that which he had felt it his duty to do, without meaning to cast any reflection on his late predecessor in office. He nearly coincided in opinion with the hon. gentleman (Mr. Francis) on the subject of the suspension of payments in specie by the bank. He could not consider the country as enjoying the same solid basis of prosperity, while that suspension continued, as it had done before; though still the commercial system of credit in this country was not for a moment to be compared with the Mississippi scheme. And though this was not, perhaps, the time to propose a removal of the suspension, yet such removal should be an object never lost sight of by his majesty's ministers, and the bank ought never to be encouraged to expect that it would be of constant duration.

Lord Castlereagh.—Sir, I am desirous, on the present occasion, of troubling the house with some general observations on the financial arrangements of the year. Approving as I do of the principle upon which the noble lord has framed his budget, namely, that of making an effort to raise a further proportion of the supplies within

the year, and not seeing any prominent grounds of objection to the particular taxes he has proposed, I have been solicitous to reserve any points of difference till a later stage, when I might state what occurred to me more particularly, in objection to the very unusual course parliament has been called on to adopt on the present occasion, viz. that of determining on the ways and means for the year before the army has been voted. I am not wishing to interrupt the unanimity which it is my wish should prevail on the main question. So far as this manly and wise policy, which the noble lord has acted upon, can carry with it any degree of unpopularity, I shall be most ready to share it with him, and deem it due to him distinctly to express my persuasion that, had the late government continued in office, the people would have been called on to submit to burthens of equal magnitude. I shall now proceed to state my objections to the course of our proceedings, not with any view to impede the grants in progress, but to take such notice of what appears to me to be a serious departure from the constitutional practice of parliament, upon no case of necessity, or adequate expediency, first stated to the house, as may protect us hereafter against the repetition of so injurious a proceeding. The noble lord has endeavoured to contend that, provided money raised upon the subject does not pass from under the control of this house; and provided the votes, in appropriation of such moneys to particular services, do not exceed the quantum of supply previously voted by the house, every requisite principle is satisfied. In this I must differ from the noble lord. There are two principles in themselves perfectly distinct; the one, that the public money shall not be applied without the express consent of parliament; the other, that parliament shall not burthen the people unnecessarily, and consequently shall neither by loans nor taxes impose burthens in a committee of ways and means, till the necessity for them has been ascertained by previous votes in the committee of supply. In support of this doctrine, founded equally on good sense as in parliamentary usage, he read to the house the opinion of Mr. Hatsell. Such being indisputably the true principle, I am not one of those who will ever contend, that what was meant as a protection and security for the people, shall be rendered prejudicial to their interests by its unqualified and strict application in all cases. I am ready to admit that a rigid adherence to this principle has not been, and cannot in all cases be observed; but what I do contend is, that a departure from it to the extent now proposed, and upon no assigned ground whatever, cannot possibly be justified. The surplus of the consolidated fund, which it is the policy of parliament, for many reasons, to uphold, is a small departure from the strictness of the principle; the imposing war taxes to the amount hitherto of fourteen and now of twenty millions annual produce, is certainly a greater, but still this is keeping largely within the obvious and necessary expenditure of the year, and is adopted upon distinct considerations of the wisest policy. But when the noble lord proceeds to raise the entire residue of the funds for the year before the house has determined on the amount of the army; when we are called upon to assume that what is now to be entirely new-modelled, is to cost neither more nor

less than the exploded and condemned army of last year; and this, upon the mere personal dictum of the chancellor of the exchequer, without even an estimate or account being laid on the table; it must be admitted that we are surrendering our judgment, and are proceeding merely upon confidence: the possible inconveniences are obvious: supposing the noble lord should have taken five millions more than the house may hereafter think fit to vote in supply, the people are in so much unnecessarily burthened: supposing he should have taken five millions less than, in the view of parliament, the public exigencies may require; can he, after having made his loan, and taught the contractors to expect, if not given them a pledge, that no more money would be raised, provide the necessary means with the same convenience and advantage to the public? The noble lord, not having offered a single observation to the house to justify this proceeding even on grounds of expediency, I can only state, that those which obviously suggest themselves, as having occasioned it, are not in my judgment, as at present informed, satisfactory; and first, the delay of the right honourable gentleman's plan for the reform of the army. It will be for us hereafter to judge how far this mighty change, which is to throw our financial as well as military system out of its course, was called for either by the defects of the existing system, or the merits of that which is to succeed it. The other explanation which occurs, is the possible wants of the treasury as necessitating this early loan, on the policy of contracting for which at the precise period at which it took place, I shall feel it my duty to state some doubts. How long the exchequer could have carried on the public service without this aid, it is not possible for me, with precision, to judge; but I have the noble lord's own authority for supposing that no money was wanting sooner than the 18th of April; that being the day on which I understand he at first stated to the contractors, that he should be satisfied to receive the first instalment. Having determined to make his bargain on the 30th of March, and having declared to parliament his purpose of opening his budget on that day; upon learning from the contractors, what was in itself pretty obvious, that this long interval, wholly unexampled in contracts for loans, was extremely objectionable to them, as leaving them altogether at the mercy of their subscribers, in case of any intermediate fall in the market; his lordship was obliged to change his plan, and take the first payment on the 6th of April, when the market is peculiarly unfavourable for such an operation. The bargain made is certainly in itself an advantageous one, generally speaking, for the public; but as terms are relatively good or bad, I am not prepared to say that somewhat better terms might not have been obtained, if this first instalment of 2,000,000*l.* had been to be paid in at the time the noble lord first intended, and subsequent to the time when April dividends, amounting to 6,000,000*l.*, had found their way into circulation. I am sure, if either by accelerating the estimates for the army, or postponing the making the loans, the business could have been conducted in its usual course, the house ought to have been saved from the painful dilemma in which it is now placed, of either appearing to impede the

provision for the public service, or adopting, for the first time since the Revolution, a course of proceeding in breach of the most important maxims of parliamentary practice; for although the house has frequently permitted the chancellor of the exchequer to provide for possible expenditure, not admitting of precise estimate, such as army extraordinaries and subsidies, though not previously voted in the committee of supply, they never did deliberately before acquiesce in his providing for the army at large before the estimates were considered, and voted in the committee of supply; and I trust I have stated enough to the house, to protect us against a recurrence to such practices in future. Before I sit down, I cannot avoid shortly adverting to the gloomy picture drawn by an honourable gentleman (Mr. Francis) early in the debate, of the declining and impoverished state of the country. I am perfectly ready to admit that the people are necessarily called upon to submit to heavy burthens, but I can by no means subscribe to his opinion that they seem likely to sink under them. I certainly do not deny that the pressure of taxes is severe, but I do assert that it is not such as to check or disturb in any respect the industry, and consequently the prosperity of the country. If the honourable gentleman wishes to know what an impoverished and declining country is, let him refer back to the period when my late right honourable friend (Mr. Pitt) first took charge of the finance of the country in 1784. The manufactures and commerce declining in proportion as burthens were imposed, every new tax counteracting those in existence, and the whole falling short in produce of what they were taken at, and with difficulty providing for the permanent charge of the debt. We now find, notwithstanding the taxes are since increased so much in amount, that both the old and new duties increase every year in amount; that hardly a tax has been laid which has not exceeded the estimate in its produce; and the documents before parliament indisputably prove, that our agriculture, manufactures, and commerce, are extending themselves rapidly, even in the midst of war. We have also, in later years, been able to adopt the salutary principle of raising a large proportion of our supplies within the year, (including the war taxes now proposed, to the extent nearly of one half of our war expenditure) an effort, which could only be made by a country both highly affluent and prosperous, whilst the sinking fund, already amounting to about eight millions a year, gives us every reason to hope, that the moment is not far distant, when the comparatively small increase of debt which now takes place may be prevented even in war, and its rapid liquidation looked to with confidence on the return of peace. The noble lord well described the value of this institution to the public on a former night, by stating it as his persuasion, that had the sinking fund, on its present principles, not been established in 1786, we must ever since have made our loans on terms so ruinous, as to have incurred an annual charge for interest alone fully equal to what now covers both the interest and sinking fund of the public debt. It may, therefore, be fairly said, that a perpetual annuity of eight millions a year has been thereby saved to the nation, which, after liquidating the principal, is revertible to them. The justice

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and gratitude of parliament have left nothing to his friends to desire on this head; but, surely, a prouder monument was never raised by the wisdom and exertions of an individual to his own fame, than by this single measure, established, and inviolably adhered to, as it was through times of the utmost difficulty. Can it then be said that the country does not exhibit at this moment the most convincing signs of health and prosperity? If the public are heavily burthened, they bear it with fortitude and good-will, because they feel it is the necessary consequence of the efforts which they are called upon to make for their own preservation against the common enemy. Heavy as the pressure is, can the hon. gentleman recollect any period in the history of the country, when discontent was less apparent, or when the nation submitted with more marks of manliness, and even satisfaction, to every sacrifice the public exigency has imposed? Never did any ministers succeed to a government, when the greatest of all resources and support, namely, the public mind, was in a more happy temper to aid them in surmounting the difficulties with which they have to contend. Never did any ministers find the country, on their coming into office, more truly prosperous, its revenue more productive, or its credit higher: that such was the state of the navy, I am sure they will not deny; and I shall be prepared to maintain, when that subject comes regularly into discussion, that the same may be asserted with not less truth, with respect to the army. Finding all the main features of our national strength thus vigorous and entire, I trust they will continue to administer them upon those principles by which they have been hitherto preserved, improved, and upheld. The noble lord has done himself honour by the course he has pursued in his present budget. The despondency of the hon. gentleman will not, I trust, discourage him from continuing to tread in the path which his predecessor has marked out for him. So long as he perseveres in doing so, and as it shall be the principle of the government to maintain with firmness that system upon which their predecessors have acted, the noble lord will find me not unanxious to smooth his difficulties, and inclined to afford him my cordial support.

Mr. Rose maintained, that notwithstanding every thing which had been endeavoured to be argued to the contrary, the noble lord had certainly violated the principle of the constitution of this country, as established in the system of proposing to the house of commons the ways and means of the year, because he had proposed the ways and means before the amount of the supplies were known, which must be the case until it was known what our army was to be. As to the taxes, he desired to be understood as not intending to throw any difficulties in the way of government; for he had no wish to oppose one of them, nor should he do so when the bills were brought in; he thought it right, however, that the noble lord might hear what he had to say upon them; then he might turn them in his mind in the course of their progress, and judge how far any of his arguments ought to have any weight. In the first place, the tax on wine, he was confirmed, would not produce what it was estimated at. It was proposed to be made permanent for the war by Mr. Pitt; but he

did not apply it to the payment of the interest of the debt, although he considered it as made permanent as a mere war tax; it had increased at first, but it had fallen off; and he was aware it would not produce what it was taken at. He spoke from documents which could not mislead him on the subject; he believed, that instead of taking it at 500,000*l.* it would be wiser to take it at 300,000*l.* The tax on iron was one which Mr. Pitt had in contemplation; but it would have the effect of diminishing the produce of other articles. He spoke on this subject from the best information; for he had, under the direction of Mr. Pitt, possessed himself of information from every furnace in the kingdom, and the papers were at the service of the noble lord, as was every other information he possessed; for his object was to serve his country to the utmost of his power, and not to thwart any measures taken for its support. As to the tax on appraisements, that had also been proposed to Mr. Pitt, but it had been given up as a thing likely to be too unproductive to be entertained. With regard to the tax on tea, there were really serious objections taken to it by Mr. Pitt, particularly on the lower sorts of it, for it was, in general, used by the poorer sort of people, and this he knew from personal experience; he knew that the mass of the poorer classes not only took tea morning and evening, but also very often for their dinner; and this made Mr. Pitt very unwilling to make it the subject of taxation, as to the articles of lower prices: besides, it would not be an easy thing to find the lower-price tea in the warehouses, as they threw it about without seeming to care what became of it; and it was not injured by tossing about, as the finer teas were, so that a great deal of smuggling would take place when this duty was imposed. As to the article of tobacco, it would produce a great deal of money, for there was a large consumption of it; but here, again, it should be remembered, that the value of the article itself was about 6*d.* per pound; there was already a duty of 1*s.* 7*d.* on it, and this additional 6*d.* would make the duty four times the value of the article; a great temptation to smuggling, certainly; the facility to which was the greater, as it was an article easily carried on horseback. There were many other observations which he might make on other articles of taxation proposed by the noble lord; but he should not make them, because his object was to lend all the aid in his power to government, instead of obstructing it. He then took a view of the sinking fund, of which he gave a clear and intelligent history in a few words. The first person who applied a sinking fund to the finance of this country was lord Oxford, when he was a commoner; and so much applause attended him for that measure, that in his patent of peerage it was stated that he was created a peer for it. It ended, however, in the South Sea bubble, after 500,000*l.* had been laid out upon it. The next application of a sinking fund was by sir Robert Walpole; but afterwards he delivered it up in time of peace, when it had paid one million and a half. But the real sinking fund, deserving that name, was the sinking fund of Mr. Pitt; it may be said to have been invented by him. It was said by the right hon. gentleman, that after the American war, any administration,

tion, whatever the plans of policy it might have entertained, must have adopted a sinking fund. He did not know what any administration might have done; but this he knew, that nobody ever did it as it should be done but Mr. Pitt, and by which he furnished this country with a permanent revenue, out of that which did not deserve the name of a revenue: for, when Mr. Pitt came into power, the finances of the country were only just sufficient to pay the interest of the debt, leaving nothing for any other expenditure; and in two years from that time, which was from 1784 to 1786, Mr. Pitt established a sinking fund of one million, which he kept sacred, until by its immense effect every man had become its admirer. Having said so much on those topics, he should make an observation or two on others, and that by way of dispelling all ideas of gloom as to the situation of our affairs, and for this again we were indebted to Mr. Pitt; for, during his administration, the number of the ships taken of the enemy by us are actually more than the whole number taken before that time, since the Revolution, notwithstanding the wars in which we had been engaged, and in which we had acquired so much glory, viz. in the wars of king William—in the wars of queen Anne—the war of 1742—the seven years' war—the American war, in which we gained so many victories against the French; and, putting them all together, they will not amount to what had been done in the administration of Mr. Pitt, in which no less than one hundred and ten men of war had been captured, and the possessions of the French had been taken in the East and West Indies. Almost all their colonies had become ours. We had never once been defeated in any one engagement, but had been victorious every where, our arms triumphant in every part of the world. All this during the administration of Mr. Pitt; and all this while too our revenue was in a condition infinitely more flourishing than ever, and was made the astonishment of the world, as well as the state of our trade and commerce; and our navigation extended beyond the example of any nation on the face of the globe. He said these things as the due reward of Mr. Pitt. He did not say that the situation of the present chancellor of the exchequer was not ardous; he knew it was so, but it should not be increased by any captious opposition by him; on the contrary, he should be glad to assist him in every thing in his power; and he believed he possessed some information which must be useful to that noble lord on many of the topics to which he had been alluding. He could not, however, do better than follow the system laid down for him by his predecessor in office, Mr. Pitt. He wished the present administration to thrive; and he wished that at the end of their career, whenever that might be, they might be able to render to their country as good an account of their labours in its service as had been done by Mr. Pitt; and a higher honour they could not obtain: that they might obtain it was his hearty wish.

Mr. Johnstone, Mr. Hiley Addington and others, entered into the discussion; when the several resolutions were read and agreed to, and leave given to bring in bills pursuant thereto.

In the course of the succeeding debates on the intended new taxes, lord Henry Petty abandoned that

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on pig-iron, and proposed in lieu of it one on private breweries, which was to be estimated according to the number of persons in each family, and in proportion to the amount of assessed taxes which each housekeeper paid. On the 19th of May his lordship explained the nature and extent of this intended impost, which was opposed by a great number of members, and on the 6th of June the chancellor of the exchequer gave notice that he should for the present give up the idea of taxing private brewers, and propose in its stead an addition of 10*l.* per cent on the existing assessed taxes. When the house was resolved into a committee on the following day, his lordship said he need do nothing more than state, that according to the intimation which he had before given, it was proposed to raise 10*l.* per cent. on the amount of the assessed taxes. He would accordingly move a resolution to that effect. With regard to the other motions which he had to submit to the house, it related to the exemptions which it was in contemplation to allow to persons having small incomes and large families. The object of it was to allow a deduction of four per cent. for every child, in cases of assessment under the amount of 40*l.* as far as the ratio extended, which would apply to incomes up to one thousand pounds, or between one and two thousand pounds. This would embrace the whole of the exemptions that could have been claimed, on this account, under the property tax; and besides, it possessed the advantage of being more full, general, and permanent, the exemptions under the property-tax being necessarily temporary. By this means he avoided all the inconveniences which would attend the granting of such exemptions under the property tax. He therefore concluded with moving the resolution.

In a committee on the following day, when the principle of the exemptions was debated,

Mr. Huskisson asked if the allowance was meant to be permanent, or temporary, that is to say, only to be a mitigation of the severities of the property tax. If the former, he did not think it went far enough, it ought to extend to the stamp duties, which were severely felt. If we once admitted such a principle, there was no stopping; and it was absurd to think, that a person, compelled from the largeness of his family to keep a house, the taxes of which would amount to more than 40*l.* per annum, should be deprived of the benefit of the exemption proposed; while to make it more effectual, and equally available to all, it would be necessary that a particular law should be enacted for every family in the kingdom.

Lord Henry Petty stated that it was not for him to say, whether the relief should be permanent, or only temporary; that must depend on the opinion of the house at a future period. He estimated this allowance at 200,000*l.*

Mr. Wilberforce expressed his preference to the exemptions now proposed to any which could have been given under the property tax, in so far as a man having a large family was by that very circumstance obliged to contribute in a greater degree to the assessed taxes.

Lord Holland in the house of peers, on the 21st of April, said he had discovered that there was an informality in a bill, which he intended to present that day, by which he was precluded from bringing it in.

in. He stated that it was a bill to authorise his majesty to direct the governors of the West India islands, from time to time, to permit the importation and exportation of certain articles to and from the West Indies in American vessels.

The duke of Montrose observed, that the question which the noble lord's bill involved, was one of very great importance; it was not a party question, but one which related entirely to our colonies and our shipping. There were persons who intended to petition the house upon this subject, and on that account, in addition to the importance of the question, he trusted the noble lord would not object to put off the second reading of the bill for a few days. He intended to move for papers which would prove the importance of the trade carried on by this country for the supply of the West Indies, as it would appear that it employed upwards of one hundred thousand tons of shipping and upwards of six thousand seamen. The bill was afterwards brought in, and carried through all the stages in the house of lords; but when it was sent down to the commons, it was found to be too objectionable in some points to be carried into a law. It was accordingly thrown out, and

Lord Temple moved, on the 19th of May, for leave to bring in a bill for similar purposes, which was granted. On the 22d his lordship moved the order of the day for the house to resolve itself into a committee to consider the propriety of a motion for leave to bring in a bill to enable his majesty in council to suspend, under certain circumstances, the operation of the navigation laws in our West India islands, and to permit the importation of certain articles into the ports thereof in American ships.

Mr. Rose spoke against the measure, and deprecated any proceeding upon it in the absence of so many commercial gentlemen, whose interests were materially at stake.

Mr. Fox said the question did not go to affect the commerce of the country, or the commercial interests of any body of men in it. Neither did it repeal any part of the navigation laws: it was meant merely to vest that power exclusively in the hands of the king in council by law, which had for thirteen years past been assumed by the governors of our West India islands, without law, for which they had incurred high responsibility, namely to suspend for a time, under the pressure of inevitable necessity, the operation of the navigation laws in favour of British ships. The measure now proposed, therefore, was to limit the power in safe hands: it repealed no law, it subverted no principle, and would, in fact, do no more than guard a privilege in his majesty's hands, which had been, for a series of years past, exercised by West India governors, assumed from necessity, and for which they had been uniformly indemnified by parliament.

The house resolved itself into a committee: and after a debate of some length, in which lord Temple, Mr. Rose, Mr. Fox, lord Castlereagh, and others took a part, a bill was brought in.

On the 17th of June lord Temple moved the order for the second reading of the bill; and upon the motion that counsel should be heard in behalf of the petitioners against it,

Mr. Rose said, "No man in this house rates the abilities of the right honourable gentleman opposite to me

me (Mr. Fox) more highly than I do, but he has not considered this subject with the attention it merits. He says the bill under consideration repeals no law. It is true, sir, the word "repeal" does not occur in it; but the enactments do effectually and expressly remove all the colonial restraints in the navigation act, the principle of which was established as early as the time of Richard the Second; further regulations were made for the benefit of British shipping in subsequent reigns, till that of Charles the Second, when the system was brought to nearly its present state of perfection. Under the wise and provident restrictions of the law then passed, our naval power has grown to its present strength; it is on that ground, I contend, no permanent alteration should suddenly be adopted:—the distinction between a repeal and a perpetual suspension, as in this case, will be found to be rather a nice one. The act of the 12th of Charles the Second, ch. 18. provides that nothing shall be imported into, or exported from, the plantations, except in British ships, on pain of forfeiting the ships, &c. &c. &c. Under this bill the importation and exportation in foreign vessels into and from our islands is unlimited; but we are told, that in point of fact, this act has been suspended from time to time, the truth of which, during the last and present war, partially and for limited periods, I admit; but that was, however, done under a severe and strict responsibility of the governors of the several islands, who were amenable to the secretary of state for their conduct, and on whose representation their indemnity from parliament depended; there was therefore reasonable security against the misapplication of their power, and that is completely rescinded by this measure. I will bring under the view of the committee as shortly as I can, the regulations made for governing the trade between Great Britain and her colonies, and the American states, from the time of the separation of the latter from the former. After the conclusion of the American war, the new situation in which we were placed by this event, led to an act being passed in 1783, to enable his majesty by orders in council to make regulations for carrying on the trade with America, under the authority whereof a proclamation was issued, confining the trade between the United States and our colonies to British ships exclusively. At that restriction the assembly of Jamaica, and the West India proprietors in general, became greatly alarmed, and made lively and strong remonstrances to the council against it, urging that the consequences of it must be ruinous to the islands. These complaints were immediately attended to, and the parties were fully and patiently heard before the committee for trade; they were permitted to produce evidence as long as they had any to offer, and all other persons were called upon who were thought likely to throw any light on the subject, including merchants resident in Great Britain, late governors in America, and British settlers in that country. This inquiry, conducted with the utmost impartiality, lasted two or three months, and ended in a report recommending that the proclamation confining the trade to British ships should be enforced. It could indeed have no other termination, as it was satisfactorily proved to the lords that the supplies to the islands might be regularly furnished in these ships at moderate prices;

prices; and that the sale of rum would not thereby be prejudiced. The trade was accordingly so carried on from that year (1784) to 1793, without the slightest inconvenience having been experienced in either of those respects by the islands; they were plentifully supplied with lumber and provision at moderate prices, and they found a ready and fair market for their rum and melasses. We are told, however, that this is a measure of absolute necessity. I deny that—It is also denied by persons much more capable of forming a correct judgment on the point than any of us in this committee. What is it then we ask? Not that our opinion shall at once be acted upon, but that an inquiry shall be had to prove who is right, and that a determination may be taken conformably thereto. I will undertake positively that such an inquiry shall be gone through in four or five days, at the utmost, before a committee up stairs, which would not delay the progress of the bill a single hour; if that shall be granted, I have good reason to believe it will be proved to demonstration that the opinion entertained by the noble duke before alluded to, and myself, respecting a regular supply to the islands in British ships, is a correct one; there are merchants of the highest respectability, and ship-owners, who are ready to embark in circuitous trade from hence to America, the West Indies, and home, as soon as they can be assured of convoys, if this bill shall be dropped—that can be proved before a committee. Will you then refuse to men entitled to every attention that can be shown to them, the opportunity of establishing these facts by proof, when no possible inconvenience can arise from your doing so? I believe there is no instance of an inquiry being refused in such a case: what then will be thought of our proceedings if we should shut our doors against such petitioners as are now before us, who tell us we are about to adopt a measure as injurious to the country, as it must be ruinous to them; and that if we withhold our hands, their ships, now rotting by the walls, will find profitable employment? Has this been asked for? If by any body, let us know by whom. It is true, since the bill came into the house, some West India gentlemen expressed an approbation of it; but, if an inquiry is granted, the petitioners undertake to show to those gentlemen that they could not suffer by the navigation laws being enforced, that they would send out ships, and settle correspondences to ensure a regular and ample supply for the islands, which would ensure increased means for bringing home the crops; whereas it is notorious that for want of a sufficiency of ships in the trade, more than twenty thousand hogsheads of sugar were left in Jamaica in the last years, and great quantities in the leeward islands. Can his majesty's ministers, under such circumstances as these, refuse an inquiry? I cannot be less anxious than the noble lord, or any other member, that there should be no uncertainty or fluctuation in the supplies to the colonies in the West Indies, as I have as deep an interest there, in proportion to my whole fortune, as most men in this country; many of my nearest connections have also considerable property in them: that consideration, however, cannot turn my attention from other interests both of a public and private nature: but let me not be

be understood to take any great merit to myself in that respect, because I am acting under a conviction that the islands would be as regularly and as well supplied in British ships, as they are now even in time of war, if convoys can be furnished. In time of peace nobody can doubt it —experience has put that matter completely out of doubt. I trust, therefore, the hon. gentleman (Mr. Fox) will reconsider his opinion of the probable necessity for relaxing our navigation laws in peace, as the promulgation of it may do incalculable mischief if uncontradicted. If we look to the effect likely to be produced by this measure to our continental colonies, we shall not find the ground of objections weaker: the system which has been pursued since 1784, has been nearly as mischievous to these as to our navigation; instead of advancing rapidly in cultivation, as they were doing previously to that time, that has been checked, and their trade with the West Indies has fallen off very considerably, as appears by the accounts on your table. This evil is the more serious, and should be the more guarded against, as in the event of a breach with America, it is on our remaining settlements on the continent that the West Indies must principally rely for their supplies. In American newspapers, loud complaints have been made of our navigation laws having been enforced as acts of injustice, and it is notorious there is an impression of this sort in the United States; this is surely not the season therefore for abandoning the principle of them. I am confident no one can rationally doubt this, who considers with attention the relative situation of this country and America at the present moment. We are, however, about to give up gratuitously to America an important point, which it seems she has not even asked for, either as a matter of right or of favour, and which it is more our interest now than it ever before was to withhold from her. The noble lord has told us, that although the principle of the navigation law was a wise one when it was passed, it has ceased to be so; and that many instances may occur in which it may be expedient to depart from it. I am inclined to think, however, that his lordship has taken up that opinion from some recent publications, in which there are confident assertions founded on false facts. One of the authors I allude to has told you, that it is good to employ foreign ships in war, that we may have our own seamen for the navy. Can that gentleman tell us where, in such case, will be found a nursery for raising seamen to man our fleets in future? The largest proportion of your seamen certainly come from the merchant's service; and if you dry up that source, you will hereafter find the inconvenience of it, and will probably recur to a due observance of your navigation laws, when it will be too late to derive any advantage from your doing so. But however important as nurseries for seamen the shipping of Great Britain and of her colonies is, it is not exclusively to that we are to look for resources; the fisheries both at home and on the coasts of our continental colonies, as well as at Newfoundland, are very extensive and important sources; a due encouragement given to them might be essentially useful, and afford another reason for a due observance of the navigation laws. My reason for believing that British ships can carry all the articles which our colonies may want, arises from very long

long and laborious inquiries which I have made from ship-owners both in Great Britain and in the West Indies, and others who are best qualified to give information upon the subject; I am prepared even to enter on the detail as to the times when they should sail from this country, take in their lading in America, &c. &c.; but it is unnecessary to trouble the house with these particulars: I will establish the whole clearly before a committee, if I am allowed to go to one. I will undertake to prove that the planters would be regularly supplied with all they want as early as shall be necessary, and at an extra expense not exceeding two per cent. on the freight. I have only to add, that in the event of hurricanes, or other unforeseen emergencies, the governors must unavoidably have the same discretionary power to open the ports, that the government of this country always exercises in such cases at home."

Lord Temple thought it rather hard, after the subject of this bill had already been so thoroughly debated, and after the house had agreed that the petitioners against the bill should be heard by their counsel that day, that those gentlemen should have no counsel ready, and that those who brought forward the bill should now be called upon to withdraw it, and to let the regulation it proposed stand merely upon the spur of exigency. The complaint urged by the ship-owners was, that the protection of their rights under the navigation-act, should be placed exclusively under the direction of his majesty in council, instead of being left at the discretion of the governors of the West India islands, where it had hitherto in effect remained, and been so repeatedly violated. This was rather an extraordinary complaint: but he would beg to know how those governors could be judges of what was transacting in this country with respect to the supply of those islands, or how they could know what cargoes were shipped, or what convoys were upon the seas from this country for their accommodation, when, upon the slightest appearance of exigency, they should be importuned to throw open their ports to American vessels, for the attainment of supplies. Under this bill it would become the duty of his majesty's ministers vigilantly to anticipate, and timely to provide for, the necessities of those islands; and it would be time enough for the governors to assume the responsibility of the navigation laws, when the negligence of his majesty's ministers should place them in an emergency that should warrant such an assumption. As to the other general topics upon which the bill had already been so frequently opposed, it appeared to him that they had been amply refuted, and it was unnecessary for him to detain the house with offering any further arguments upon the subject.

Sir Charles Price opposed the bill, and observed that, after the fullest investigation he had been able to give it, if it passed into a law, it would be ruinous to the shipping and carrying-trade of this country, and would transfer our maritime importance, with our sailors and ship-builders, to America.

Sir W. Curtis opposed the bill, and maintained that the West India islands were regularly and sufficiently supplied from this country. He disliked the bill, because it declared that we could not in time of war supply our West India colonies.

nies. He, on the part of the shipping interest of London, pledged himself that, if this bill were departed from, they would employ their capital, and the shipping they possessed, which were at present rotting, in carrying on this trade.

Sir Francis Baring denied that British merchants could be found ready to supply the colonies in the way the hon. baronet who spoke last had stated. They could not do so on account of the very great expense. They must have three voyages:—one from this country to America in ballast; the second, from America to the West Indies, with a cargo comparatively nothing, and which the freight would exceed in value by five or six times the amount; and from this second voyage he believed there was hardly ever an instance of a vessel returning to this country.

Mr. Perceval said—I apprehend that after all that can be effected the house will upon reflection be of opinion, that there will still remain objections in principle, which will render it extremely unwise to pass this bill in any shape whatever. An hon. baronet under the gallery (sir F. Baring), whose authority on mercantile subjects stands, in this house as well as every where else, extremely high, has given us to understand, that he is decidedly of opinion, that the ship-owners of this country who oppose the bill are desiring to have the monopoly of a trade which, if they had that monopoly, they could not carry on; that the trade which they seek, and which they say they are ready and eager to enter into, is actually impracticable. Now, sir, with all the respect and deference which I most unfeignedly feel for the opinion of that worthy baronet, and without pretending to have an opinion of my own worthy to be mentioned with his upon any commercial question, I cannot forbear from remarking, that this is only opinion against opinion, and judgment against judgment; not mine against his, for that I should not have the presumption to state, but the opinion of great, intelligent, and wealthy merchants of this city, against the opinion of the worthy baronet. These merchants, thus qualified to judge, give this pledge of the sincerity and strength of their conviction, that they declare themselves ready and willing to embark in this very trade, and risk their interests on its success: and I am confident, that however valuable and deservedly eminent the opinion of the worthy baronet is upon this subject, yet the house must feel that it would be too much deference to be paid to any opinion; and I am persuaded, that no person would be more sorry than the worthy baronet himself, that such deference should be paid to his, if the house should rest so far satisfied with the authority of that opinion, as to preclude any body of men in this country from having a full investigation of a subject so interesting to them, before any final decision upon it was adopted. What I wish is, that this point may be investigated by a committee nominated by this house, in order that we may be enabled to judge between the two opposite opinions, and to determine whether those who are concerned in the trade, who are acquainted with it, who are disposed to embark their property and their interests in it, have formed the true opinion, or whether the hon. baronet is right in his? Now, sir, I do think that this house can hardly do otherwise than grant the request; it is only to follow that course which is consistent with the well-

well-understood practice of this house, constituting as it were a part of its character, the practice of giving a ready hearing to every thing that can be offered upon any subject which is before them; and more especially on a subject of such vital importance to the best interests of our trade and navigation as this is. We are entitled, and that from the admissions of the hon. gentleman who spoke last, to say that this bill is at present liable to a variety of constructions, that it is full of errors and defects, and might, if passed in its present shape, most mischievously affect our trade in the West Indies. That admission indeed, of itself, I should have imagined, might have been a tolerably good reason why the bill should not go through the house in haste; but we are told that the bill itself provides that it is never to be acted upon, except in cases of absolute necessity; and the hon. gentleman thinks there is great weight in that circumstance. It is that which seems particularly to reconcile him to the passing of this bill, that the power given to the privy council is guarded by the proof which they are required to have of the necessity of acting before they put it into execution; that they must, therefore, before they give any directions or instructions that any thing should be done in this matter, make all the necessary inquiries, and that ministers will not act blindly under the discretion when they possess it. The hon. gentleman, from his confidence in the present administration, may be disposed to give these powers, in full trust that they will use them with this discretion. But, sir, before this house gives the power to the privy council, that is, to the present ministers, which this bill is calculated to give them, I could have wished that those ministers had shown some disposition not to make an unnecessary and inconsiderate use of it; that such directions as they might give would only be from time to time, as the exigency of the case may require; and that they would so guardedly conduct themselves as to be able to correct their errors, if they should find out that their conduct was erroneous; at least it might be required, that they should have done nothing from which the contrary disposition might be inferred; that they would have taken no step without making some inquiry into the prudence of it; that, above all, they should have made no order on the subject matter of a bill which they intended to bring into parliament, before the sense of parliament had been taken on it; and that they would not have made any order whatever upon this subject at any time, under any pretence, for an unlimited period;—this is what might have been expected. My impression, sir, of the whole of the bill is most undoubtedly, that it is perfectly impolitic and unjustifiable, because it is perfectly unnecessary. The authors of the measure, indeed, found it upon necessity. They tell us their reason for introducing it, is to afford necessary relief to the colonies to save them from starving, and to enable us and them to profit by their produce. If it were necessary for these objects, I should indeed agree that these objects would justify it; but it is demonstrable, nay, it is demonstrated, that it is not necessary for them, they are attained; they have been secured by the system as it at present prevails, and which has been acted upon during the present war. In all the history of parliamentary proceedings, it seems to me, therefore, there is no parallel

to this measure. I know of nothing equal to the character of inconsiderate improvidence and impolicy which attaches to it. We are all agreed that the system of the navigation laws is most essential to our greatness and our existence, and should not be broken in upon but in cases of grave necessity: yet the noble lord's own statement, his own argument to prove that necessity, shows that it is unnecessary, distinctly proves that no such bill is required. The house would do well to consider the doubt expressed by the right honourable gentleman (Mr. Fox), whether the provision of this bill will not require to be extended even to a time of peace; that is to me, sir, a most alarming doubt coming from such a quarter. It is true, indeed, he stated no fixed opinion upon the subject; but he stated his mind to be in doubt upon it: and if his mind doubts whether the policy of this measure would not be applicable to a time of peace, we can have but very little hope that he or any of his colleagues will consent to institute an inquiry into the possibility of dispensing with it during war. The house will do well to consider that it is now called upon to adopt a measure, the principle of which is to legalize the suspension of that system of navigation law which has long been felt, not only in this house but out of it, not only in this country but out of it, not only in Europe but over all the globe, to have been the foundation of all our naval power, of our real strength, of all our greatness, from which is derived our glory; which has made us what we are, the envy and admiration of the world; a system adopted and followed up by the wisdom of our most enlightened ancestors, and recommended to our regard and veneration from the benefits which we have uniformly derived from it; benefits which other nations are endeavouring to grasp from us, and which such measures as these will tend to fling into their hands. Sir, these are serious considerations; and if ever there was a period when the policy of such a measure as this could be particularly doubtful in point of time, the present is that period. The world supposes, at least, that there are at this moment many serious points, points of the greatest delicacy, connected with our colonial monopoly, and our belligerent rights, as affecting our navigation system, depending between us and America. What can be the prudence, then, at this time, of adopting any measure which shall show that our principles of policy, whether respecting our colonial or our belligerent rights as connected with our navigation system, hang in any degree more loosely about us than they did at any former period? Whatever may be the sentiments of government on the measures which may arise out of these points so under discussion, whatever may be the disposition or the determination of his majesty's government on the subject of them; if, contrary to every state policy which has always guided us, our government is about to make concessions (which I trust is not the case, though I fear it is) on the subject of that main bulwark of our strength, and foundation of our power, our navigation laws and our colonial system, policy requires that they should not betray a less regard for those laws, and for that system, than was felt by our ancestors. For they will render the sacrifice

sacrifice which they may be prepared to make, of less value, by showing the light estimation in which they hold what they concede, and will purchase less returns of gratitude or other considerations for what they sacrifice. But if, on the contrary, this system of our policy is intended to be upheld; if at the time we insist upon upholding it we appear by our conduct to undervalue it, our adherence will be attributed to our pride, to our obstinacy, to our ill-will, to any thing, in short, but those true principles of just and rational policy on which alone our determination to adhere to it ought to appear to rest.

The attorney general replied to Mr. Perceval; after which Mr. Canning, in a very long and elaborate speech, gave a decided opposition to the measure. Dr. Laurence and sir John Newport spoke in defence of it; when the house divided, and the bill was read a second time.

When lord Temple moved the third reading on the 8th of July,

Sir Charles Price thought it necessary to take the opportunity of restating his objections to the bill. He said that from all his communications with West India merchants and planters, and those engaged in the trade of Canada, and also with the ship-owners of this country, he thought the present bill hostile to the interests of our commerce. He had been informed by American merchants that not less than one-third, and even one-half, of the sailors navigating American ships were British-born subjects. The present, therefore, was not the time to discourage our shipping and navigation interests, and to drive still more of our seamen into American service. For some time after the first suspension of the navigation laws in 1793, the vessels and ship-owners were fully employed as transports, so that sufficient encouragement was given to the navigation of the country; but since this resource had ceased the shipping interest had declined, and he could state, that in 1802 there was not less than a hundred of these ships with a broom at the mast-head; which fully showed the distressed situation of the ship-owners. On these and various grounds, he moved that instead of the word "now" the words "this day three months" be inserted in the motion.

Mr. Broderick seconded this motion, which was supported by Mr. Bourne, Mr. Mainwaring, sir Wm. Curtis, and lord De Blaquiere. Sir Wm. Young and lord Temple opposed it; and the latter stated that addresses were pouring in from every quarter, indicative of the existing necessity, and he trusted gentlemen would no longer deny what was so obvious and palpable. Upon this

Lord Castlereagh, in a speech of considerable length, entered his solemn protest against the principle of the bill: "I wish," says he towards the conclusion of his speech, "if ministers do not mean to use this bill for the unwise and mischievous purposes to which its powers may be applied, that they would, at least for the present, calm the public apprehensions by relinquishing it, and suffer matters to proceed as they have done for years, without any inconvenience or danger. It cannot be necessary to enable them to administer a limited and temporary aid to the islands. If it is meant to be pushed further, which the extent of its provisions justifies us in ap-

prehending, it is a fraud on parliament thus covertly to effect it. Without a more visible necessity, so much power ought not to be surrendered to his majesty's ministers, nor so many great interests be alarmed with respect to their nearest concerns. I certainly cannot justify myself, venerating as I have been taught to do the navigation laws of the country, unnecessarily placing such vital interests at the mercy of any government whatever; and I least of all am disposed so to place them at the present moment, after the sentiments that have been expressed, and the opinions it is to be presumed are entertained. I trust the house will retain those laws under its own immediate protection, as the source of our greatness, the surest preservative of our power, and the best bulwark of the British empire."

Lord Henry Petty, in reply, maintained that the naval superiority of this country depended essentially on the prosperity of the West India islands. This plan was most conducive to their advantage, and therefore must contribute to support that maritime strength which could not be too highly estimated, and could not be too zealously maintained. Then it was objected that a secret would be discovered by America, that the existence of our colonies depended on her aid. It was no secret, he said, that, after thirteen years experience afforded to that continent, the assistance of America was useful to our colonies; and if promoting this intercourse could receive from America any conciliatory construction, this was not an objection but a motive for the bill.

The master of the rolls, in a very elaborate argument, contended that this bill went to grant a power in favour of American shipping, which cannot be granted to that of our own country; and he demanded if it were possible that such a power could be conceded by a British parliament, and whether ministers were aware of the meaning of the bill under discussion. "I have shown," said the learned gentleman, "the danger of assenting to any measure of this kind without inquiry; I have shown that it is different from any measure that ever was yet adopted in parliament; I have shown that no situation in which this country can be placed can ever require such power to be given to any body of men in it; I have shown the intolerable insult which it offers to the British shipping by placing it below that of a foreign state; I have shown the ruin which will attend an attempt to put in force any thing like the extent of its provisions. Is it, then, after all this, is it too much to ask of a British house of parliament, not to destroy the best interests of the British empire by destroying its navigation, and that without the regularity of inquiry? Sir, if ever there was a time in which it was the duty of parliament to guard against the introduction of these destructive principles, by which the navigation laws are threatened with annihilation, and more particularly against giving any person in the state the power of producing that effect, the present moment is the very time; and I think that the necessity of caution is considerably increased by the very arguments which have been urged in support of this bill. Good God! sir, what has been the ground on which this bill has been defended?

Ministers

Ministers are determined, it seems, to carry every thing by storm; for they do not reason on the wisdom or the policy of the bill, but they recommend it to this British house of parliament by showing that it is of the same kind as other acts of hostility which have, at different times, and under different circumstances, been committed against the navigation laws of this country! I say, that if this bill pass into a law, a foundation will have been laid, by which ministers may come to parliament with any claim which the intoxication of successful power may dictate or suggest."

The attorney general replied, and contended that it went merely to place under the control of his majesty, in council, and by law, a practice which, for thirteen years past, had been uniformly assumed by the governors of the West India islands, without law, and upon the presumption of future indemnity. He contended also, that it was the self-same principle of control, and discretionary power of dispensing with the rigour of the navigation laws with respect to America, and the East India trade, which had existed in his majesty and the privy council ever since the conclusion of the American war, and this too under bills successively brought in by a late right honourable gentleman, and supported by his supporters, without any of those apprehensions for the safety of the navigation laws, or the ruin of our commerce, our navy, and our national power, which seemed to excite so much clamour in the vigilant guardians of our prosperity and safety.

After some additional remarks from Mr. Perceval, Mr. Windham, and Mr. Rose, the question for the third reading was carried, and the bill was passed, and ordered to the lords, where it was read a first time on the 10th: and on the 17th, after a short debate, in which lord Hawkesbury and lord Eldon opposed the measure, and lord Holland, lord Spencer, and lord Lauderdale vindicated it, the bill went through all the stages and was passed.

CHAPTER V.

Debates on the Slave Importation Restriction-Bill—Hostilities with Prussia—Mr. Perceval's Motion respecting the Volunteers—Addresses to His Majesty on Prussian Hostilities—Lord Howick's Motion on an Increase of Pay to the Navy—Debates on Mr. Windham's Motion for the Repeal of the Additional Force Act—Mr. Jeffery's Motion on Lord St. Vincent's Naval Administration—Mr. Robson's Motion on the Barracks.

THE discussions on the slave restriction bill will be found interesting to our readers, and the more so as they may be regarded as introductory to further debates, that will be found in the following chapter. We have given the debates in the house of commons much at large on the repeal of the additional force, because it was undoubtedly a trial of strength between the ministers of the time and

those who had lately held the reins of government. We might, indeed, have extended the debates on this subject to any length, but we have thought it sufficient to present our readers with a detailed account of one debate in the commons, and a sketch of what took place in the house of lords on the same subject.

On the 31st of March the attorney general moved for a bill respecting the supply of certain colonies with negroes. He trusted he should have the concurrence of the house, since humanity as well as policy dictated the measure which he was about to propose, and morality went hand in hand with the best interests of the country. As the law stood at present with respect to the slave trade, negroes might be directly carried to any colony belonging to a power not at war with us, though this might contribute in time to render them our rivals in maritime strength. As there was the liberty of a direct supply to neutral colonies, the enemies' colonies had an opportunity of having an early supply from them. His majesty, it was true, had the right of preventing a supply from being sent to hostile colonies, but with regard to those that were neutral, these might be directly supplied to any extent. The consequence of which was, that not only the Spanish but even the French colonies had a ready resource; and, of course, this trade would tend materially to increase the maritime strength of our enemies, and add materially to their naval force. If this had only been a mere carrying trade, such as the exportation of cotton, there could not be so much objection to it; but the trade was an existing evil, which was tolerated at present, as far as the neutral colonies were concerned, but which ought to be confined to the British colonies. The object, therefore, was to prevent the trade from being carried on with any foreign islands. He concluded by moving "for a bill to give further effect to the order of council in 1805, respecting the importation of slaves to foreign islands." Some objections were taken in point of form, but the motion was carried.

Mr. Rose strongly opposed the second reading of the bill, as of most serious importance to the commercial interests of the country. He asked if this was the time to stop the sale of our manufactures in other places, when it was already interrupted in Europe to the amount of five or six millions annually. The exportation of these to America was nearer the value of two millions than one. This was not the only immediate advantage that would be lost, for it was by the means of this traffic that the colonies were supplied with bullion; and yet, in these circumstances, it was proposed to stop the exportation of those to Africa, both from this country and the West Indies. The interests of the merchants, manufacturers, and of the shipping, would by this means be materially injured. What object could be attained by it? It would do no more than drive the trade into the hands of the Americans, who had considerable facilities for carrying it on; for, in one instance, a ship from Africa to Carolina buried 115 slaves, and yet the voyage was profitable. He begged the house to consider what would be the consequences of leaving the manufactures of Manches-

ter,

ter, Paisley, and other places, to go naked, and without any channel for their sale.

The bill was supported by sir John Newport, and opposed by the generals Tarleton and Gascoyne, when it was read a second time. On the third reading, May 1; it was opposed by the same gentlemen, sir Robert Peele, and sir Charles Price; upon which

Mr. secretary Fox said, that, possessing the same sentiments upon the subject of the slave trade which he had so uniformly professed in that house, it was not likely that the arguments used by gentlemen should change his sentiments. He was ready to admit, that any measure tending to depress the commerce of the country should be avoided, especially in a period of war; yet he could not see how this would happen from the regulation proposed. As to the bill having an operation gradually to abolish the slave trade, as some gentlemen seemed to apprehend, he owned he could not flatter himself in the hope that it would produce such a consequence; and if he thought it would have this tendency, instead of that being with him an argument against the bill, it was one which would render him ten times more enamoured of it: but so far from such a consequence, he thought it would only operate, some two years hence, to furnish a new argument, added to the old ones, of those who opposed that abolition, but on which, certainly, he never placed any very strong reliance. They had predicted in the same manner of the slave-carrying trade, and of every other regulation calculated to palliate the enormous abuses of that trade. With respect to the total abolition of the slave trade itself, whatever gentlemen might think of the consistency of those ministers in office, who had voted for it out of office, he would not take upon himself to answer for the opinions of all his majesty's ministers: he could answer for himself and several of those with whom he had the honour to act, that neither he nor they had ever changed the sentiments they had so repeatedly avowed upon it. They still felt it as one involving the dearest interests of humanity, and as one which, however unfortunate this administration might be in other respects, should they be successful in effecting it, would entail more true glory upon their administration, and more honour upon their country, than any other transaction in which they could be engaged. The bill was then read a third time and passed.

In the house of peers, on the 7th of May, several petitions were presented against the bill, and counsel was heard in behalf of those who opposed it. Counsel being withdrawn,

Lord Grenville rose to move the second reading of the bill. Nothing he had heard, he said, had tended to convince him that the principle of the bill was erroneous or impolitic; on the contrary, he still believed it to be a measure which was called for by every dictate of sound policy. The islands in the West Indies were now nearly all of them in the possession of this country, or of our enemies; and, if it was clear and obvious policy that we should not give advantages to our enemies, it was surely equally clear that we should not supply their colonies with slaves, thereby affording them additional means of cultivation, contributing to increase the produce of their islands, and

thus enabling them to meet us in the market upon equal terms of competition, or perhaps to undersell us. This appeared to him so obvious, that he thought it unnecessary to argue it. The first object of the bill, therefore, was to prevent British subjects from supplying foreign colonies with slaves. The same principle was also applicable to the supply of colonies captured from the enemy, and only held until peace. In the islands captured last war, and which were given up at the peace, British capital was employed to so great an extent, that the exports from those islands equalled the exports from Jamaica. All this went to benefit and enrich the enemy, and to increase their means of rivality. Another object of the bill, therefore, was to enforce the order of council, issued to restrain this species of trade, enacting, at the same time, additional regulations, in order to prevent the importation of slaves into the islands thus conquered from the enemy, and the consequent investiture in them of a large portion of British capital. No consideration relative to our commerce or our navigation could induce him to think that the slave trade ought to be continued. He considered it as a cruel and unjust traffic, which ought to be abolished. If, however, it was to be continued, it ought to be carried on under those regulations which might, at least, render it less revolting, by making it conduce to the benefit of our navigation. The third object of the bill, therefore, was to prevent British subjects from carrying on the slave trade in any other than British vessels.

The duke of Clarence said, if we were enabled to prevent any supply of slaves from being carried to the enemy's colonies, then he would agree to the policy of preventing British subjects from supplying them; but this was not the case: the colonies of the enemy would be supplied with slaves from other sources; and therefore he saw no reason why the profits arising from this trade should be taken out of the hands of British subjects. The bill, he contended, would, in its operation, greatly injure Jamaica and the Bahama islands; the former island was several hundred leagues to leeward of all our other colonies, and unless the trade with slaves to the Spanish main was allowed, it would not be worth the while of any trader in slaves to come to Jamaica, as in case, as it probably might happen, he could not find a market for them there, he would be subjected to enormous expense and loss. He therefore objected to the bill, and should take other opportunities of stating his objections.

Accordingly, on the third reading on the 16th of May,

The duke of Clarence rose, and expressed his regret that the duty of opposing the principle of the bill had not fallen upon some other noble lord. He was convinced that, if this bill should pass, it would be the complete ruin of a very considerable branch of our commerce, he meant the capital employed in the traffic of slaves. That branch of our trade gave employment to one hundred and sixty-eight ships, to two thousand seamen, and to one million of money. The quantity of English manufactures which it was the means of circulating was immense. If the trade was prohibited, it would be impossible to introduce them

them into the Spanish colonies; for it was under cover of the commerce in slaves that we were able to obtain communication with the Spanish colonies His royal highness concluded with moving, that a certain part of the title of the bill should be omitted.

The earl of Suffolk wished the bill to pass, upon principles of humanity, religion, and morality. He suggested the possibility of cultivating the West India islands by introducing sepoys from the east, or some of the inhabitants of the Cape of Good Hope.

The bishop of London could not satisfy his own mind if he sat silent upon what he must consider as a question of morality. The objections which had been urged against the present bill did not weigh much with him, for they were the same that had been advanced against the bill for abolishing the slave trade. The continuance of this traffic could not be maintained for an instant upon the score of morality, and here he was glad to find that the objections upon the ground of political consideration made no less against it. If it contributed to prevent that mortality which was always found to accompany the cultivation and breaking up of new grounds, that would be a great inducement to him to vote in support of it. He had, for a whole year, constantly attended a committee which sat in that house, to consider of the propriety of abolishing the slave trade; and the result of all he had heard was, that it was possible to keep up the quantity of negroes necessary for cultivating the West Indies without recurring to importation, or the dreadful practices to which it gave rise. Wherever that unfortunate race of men were treated with common humanity, they increased like other human beings. In Virginia, where the importation of negroes had been prohibited, a census was taken in the year 1786, and it was found that in that province their number had increased upwards of fifteen thousand in the course of three years that the trade was prohibited. He was anxious that his countrymen should be entirely disengaged from all concern in that opprobrious traffic, and therefore he would vote for the bill before their lordships.

The earl of Westmorland considered that part of the bill which it was the object of the illustrious duke to do away, as tending not only to destroy a large proportion of the trade alluded to by the illustrious duke, but also the trade carried on to the Spanish colonies in America, under the cover of exporting slaves, and which created a market for two million pounds of British manufactures. He did not object to that part of the bill which prohibited supplying with slaves colonies taken during the war, as, in the event of their being surrendered, the British capital employed only went to enrich the enemy. With respect to the abolition of the slave trade, the trade had been carried on for a long series of years under the ablest ministers whom this country had seen, and who never thought of abolishing it; the idea of the abolition first originated, within a few years past, among atheists, enthusiasts, jacobins, and such descriptions of persons. If they doubted his statements with respect to the amount of the trade carried on, let evidence be called to the bar to prove or disprove them; but, at least, the house ought to pause before they

they consented to destroy a trade of such magnitude, particularly at a time when our commerce had so many difficulties to encounter. The argument that supplying foreign colonies with slaves enabled them to rival us in the market, was one directly in favour of the slave trade.

Lord Holland believed, on the contrary, that the planters of Jamaica, and the West India planters in general, were friendly to the bill, as one tending to benefit their interests. He considered the noble earl (Westmorland) as inconsistent in his arguments, when he wished to prohibit the supply of the colonies we had conquered with slaves, and at the same time was desirous of supplying the colonies of our rivals. He doubted the correctness of the statements with respect to the trade with the Spanish colonies, as he believed that there no longer existed any necessity for carrying on that trade under the cover of exporting slaves; and indeed it was clear, if they wanted British manufactures, that British manufactures would find their way there. He declined going over the arguments which had been so often used respecting the slave trade; but if the present bill tended, as had been stated, to contribute to the abolition of that nefarious traffic, it was, in his mind, a paramount argument in its favour.

The bishop of St. Asaph said that the noble lord who had first sat down had characterized the bill before their lordships as abolition in disguise. He was no friend to any thing in disguise; but while he was in that house he would, by every means in his power, whether fair or foul, whether by open hostility or secret stratagem, labour to destroy that infamous traffic, which was no less a disgrace to humanity than it was destructive of the morals of the nation. His lordship, with that energy which is peculiar to him, urged a variety of arguments against the slave trade, and supported the bill as the first step towards its abolition. Several other noble lords delivered their sentiments; when

Lord Sheffield rose and said, he considered the bill before their lordships as another instance of the infatuated disposition to sacrifice the navigation and commerce of the empire; the object of those who looked to the abolition of the slave trade would not be in the least degree answered. The measure, however, seemed a curious mixture of the sentimental in respect to the trade in slaves, and of a job in favour of our old West India settlements, for the ruin of our new acquisitions in those parts. He would not then enter into the policy of conquering, retaining, and improving, at a great expense, acquisitions which there was every reason to believe we must relinquish on a peace; but he must say that it is oppressive, it is faithless, after the terms we had granted, and the advantage of becoming British subjects, that we should now tell the inhabitants they should not have the means of cultivating their soil, nor of carrying on their usual commerce. In addition to the strong objections which had been urged by the noble lords who opposed the bill, he must observe, that we had little or no direct carrying trade left, except to Africa and the East and West Indies; and surely at the period when Americans or neutrals participate so very largely in the East and West India trade—when we are shut out from

so great a proportion of the world —we should not relinquish that trade which holds out the best prospects to us. The trade to Africa is rendered odious by the insinuation of its being merely a slave trade. In the present question, the trade in slaves is perhaps the part of the least consideration; the circuitous trade to Africa, and thence to the West Indies, is that which, of all others, we stand in most need; it is a trade of barter, which, in one voyage, gives three or four profits; we acquire, in exchange for our manufactures and other commodities, all the valuable and necessary raw materials from South America which we used to receive through Old Spain, paying very heavy duties; most of which, if we could get them at all at this time, must be at exorbitant prices. He said no human expectation can be more vain than that a simple act of parliament could prevent the introduction of slaves into the numerous creeks of the West Indies, where every inhabitant is in favour of that introduction. But the attempt at prohibition would render the trade extremely severe and cruel in respect to the poor negro; because, instead of a well-regulated trade, as at present, it would become a smuggling trade, subjecting them to the greatest hardships. The papers on the table prove the extreme mischief that will arise to our carrying-trade and commerce; that we are daily becoming more dependent on the American states for the important article cotton; and that soon we should not have shipping for our carrying-trade, or for bringing home the produce of our colonies. He said he had lately stated to their lordships, that there is nearly an end to shipbuilding, except for the navy, in the several ports of England; that the discouragement is so great that very few indeed are building for the merchants' service, only two at this time in the river Thames; that the ships we have are wearing out very fast; that we shall have none to replace them, and consequently shall be obliged to give up the most beneficial and important trade to the British empire, viz. the carrying-trade. After a few words from the duke of Sussex in opposition to the bill, the duke of Clarence replied; a division then took place, when there appeared for the bill

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The bill was accordingly read a third time and passed.

On the 21st of April lord Grenville in the house of peers, and Mr. Fox in the commons, delivered a message from his majesty, respecting hostilities commenced against this country by the king of Prussia, which was ordered to be taken into consideration on a subsequent day.

Mr. Perceval gave notice of his intention to move for papers relative to the expense of the volunteers; and on the following day he said he thought it necessary to state the reasons which induced him to submit such a motion, and the objects which he had in view. This paper, he was ready distinctly and clearly to say, was meant to apply to that part of the right honourable secretary's argument upon which he seemed so much to rely in the discussion of a former evening, and which in reality formed, in that right honourable gentleman's own judgment, the strongest

strongest reason to justify his extraordinary and exceptionable proposition respecting the volunteers. The consequence of the right honourable gentleman's arrangement it could not be difficult to anticipate. It obviously must lead to one or other of these effects—either to drive three hundred thousand able, effective, and ardent men to lay down their arms altogether, and quit the service in disgust; or, if not, to keep them in, at least, a state of comparatively less utility to the country. For what was proposed that must not operate to degrade the volunteers in their own opinion, and in that of the country also? Was it not, in fact, meant to make the volunteer corps a stigmatized asylum from the operation of the compulsory levy? Could any man doubt the justice of this statement who had attended to the right honourable gentleman on a former evening, or who recollected the uniform tenor of his remarks upon the volunteer institution? The right honourable gentleman appeared to rest a good deal of his hostility to this institution on the expense which it occasioned, and therefore it was extremely desirable that the house should be informed of the real amount of that expense, distinguishing the different heads of expenditure. When this account should be laid on the table, it would be seen what part of the expense complained of could be discontinued; and gentlemen would have an opportunity of comparing the amount of the sum to be laid out with the value of the service. It would be also seen what proportion the amount of this expenditure had to the produce of the income tax, to which the right honourable secretary alluded. No doubt the expense hitherto incurred by the volunteers was considerable, but he had no difficulty in saying that a great part of that expense was such as could not recur again, and therefore could form no reason at present to support a measure that was calculated to disband a considerable part of that body, and to disgust the whole. He would be also desirous to have an estimate brought forward of the expense likely to arise from the compulsory training of the people. If the expense of the two should prove to be equal, it would be for the house to consider whether the proposed change should take place; whether Englishmen who voluntarily stood forward in the hour of peril should be disbanded, to make room for a reluctant constrained levy. It was the first time that such a proposition had been made in this country, and it required but little consideration indeed to estimate the difference between the two kinds of service. Sure he was that parliament could hardly be persuaded to adopt a measure of forcibly training, particularly where they felt it to be unnecessary; they must feel it to be unconstitutional. Having said so much as to the object of his motion, the right honourable gentleman proceeded to comment on some late proceedings out of doors upon this subject. He felt, however, that it must be confessed the disgust and discontent of the volunteers were, in a great measure, excusable. It was very natural for them to complain when such language as had been used respecting them by a government composed, for the most part, of men who originally encouraged their formation, and who almost uniformly panegyrized their conduct. When they saw any part of such a government, instead of patronizing

tronizing them, manifesting a wish to throw impediments and obstacles in their way, the same feelings which led the volunteers to quit their habits and employments to prepare for the field of war, must now dispose them to chagrin and disappointment. When they were held up as a disgrace to the military profession—when told that it was degrading to the army that they should be dressed in the same uniform with them—that it was an affront to military officers that volunteer corps should have any thing like similar distinctions—that although their want of discipline had been the general complaint heretofore, the remedy now proposed was to relax that discipline—it was no wonder if the zeal of the volunteers was in some degree damped, and their dispositions soured. But still they should not suffer themselves to be agitated, but wait in respectful confidence the decision of the legislature. The right honourable gentleman concluded with moving for "an account of all sums issued and expended for the service of the volunteers of Great Britain, from the commencement of the present war to the latest period at which the same could be made out, distinguishing each year, and also each head of service."

Mr. Fox did not rise to object to the motion of the right honourable gentleman, because, without such a motion, it was intended by his right hon. friend (Mr. Windham) to lay this document before the house. But the right hon. gentleman's speech and his motion being far from the same thing, he must say, that although he acquiesced in the one, he very much objected to several parts of the other. Was it possible that the right honourable gentleman could be so mistaken as to understand that any intention existed of disbanding the volunteers? Sure he was, that if his right honourable friend entertained any such intention, he had concealed it from him. That his right honourable friend said any thing on the day alluded to to warrant such an inference, he most peremptorily and absolutely denied. It would have been rather more becoming in the right honourable gentleman to have waved any remark on this plan until it was perfectly understood; for it was quite clear that he did not understand it; and it was much to be regretted that such industry was applied to propagate a similar misunderstanding throughout the country, but, thank God, with very little success. The right honourable gentleman talked of substituting two hundred thousand men, trained according to the new arrangement, for three hundred thousand disciplined volunteers. But the right honourable gentleman did not seem to recollect that it was not two hundred thousand men merely, but the people of the country in rotation, that would be trained, in addition to the volunteers. The only change, on the whole, in the volunteer system, was merely to retain those only who should serve without pay, and that would be conformable to the original principle of their formation. Therefore the change could occasion no murmurs, unless men were predetermined to complain. He was sorry to hear of the existence of any discontent, although he was persuaded that it could proceed only from misconception. That a difference of opinion prevailed upon this question, both in and out of the house, he was perfectly convinced. He could not hope for an unanimity. But, upon a fair and full

full understanding of the measure, he had little doubt that the number of its opponents would be comparatively very few.

Lord Castlereagh listened with more satisfaction to what had fallen from a right honourable gentleman on this subject than he had done before. He now expected to find the bill extremely different from the outline that had formerly been given. The right honourable secretary had formerly said, that he had found the stage occupied by a body to whom he had radical objections. He was not, indeed, prepared to dissolve the volunteers, but they were not to understand, from their receiving clothing for the present year, that this would be continued beyond that period. The right honourable gentleman seemed to lament, that the volunteers had arrived at such a degree of discipline as to enable them, in the opinion of military men, to form the line with regular troops. His plan went to deprive them of drill serjeants and field officers, who alone were qualified to regulate their movements in case of necessity, and march them to some central point, where their services could be useful. The right honourable gentleman intended to withdraw the only means by which the volunteers could be organized, and to assimilate them to a mere armed peasantry. For his part, he thought that the volunteers would no longer deserve any dependence to be placed upon them, when deprived of officers, and drilled for so short a time. But he trusted he should find the standing army exempted from the grasp of the right honourable secretary, and that those destructive reforms, in the experiment of limited service, which were contrary to the opinions of the most experienced officers in the service, would not be adopted.

Mr. Windham felt himself called upon to reply to some observations that had fallen from the learned gentleman and the noble lord, with respect to the plan of military arrangements which he had the honour, on a former night, to submit to the house. He would again assert, that the learned gentleman's speech was full of bare-faced, undisguised mis-statements of what he (Mr. Windham) had said on a former occasion. The course of warfare which the gentlemen on the opposite side of the house seemed determined to adopt was now obvious. They appeared resolved to have recourse to all means for attaining their objects, whether right or wrong.—(A cry of No! No! from the other side of the house.) Such, at least, was the sentiment which must naturally be produced by the tendency of their remarks. It had been said that he meant to degrade the volunteers; but the meaning of what he had formerly observed was plain, and he still adhered to it. He had said that the army was lost by losing its distinctions; and that nothing could be more injurious to it than the conferring indiscriminately on volunteers those honorary distinctions which should be confined to the soldier. This was the doctrine he had then held, but he must utterly deny that any thing he had said had any tendency to degrade the volunteers. He had been also charged with the design of making the volunteer corps a kind of stigmatized asylum for those who declined compulsory service. All that he had said was, that those who, from their feelings and habits of life, did not choose to join the compulsory levy, had their option to enter volunteer associations.—

The very volunteer system itself, in its present form, rose out of this option. When his majesty was empowered to call out the *levy en masse*, every parish and district were told that they would be exempted on a sufficient number of their inhabitants forming themselves in volunteer associations. This was a measure in which the learned gentleman himself had a considerable share. Had this no effect in producing volunteers? and did he consider the volunteers as degraded by being induced, by this very measure, to form themselves into corps? How then could the learned gentleman make that a subject of reproach to him, which he himself had originally advised, and of which he might be considered as the author? How did the charge of coercion or degradation sound in the mouth of him who gave it as his opinion that volunteers had no right to resign? The militia partook of the nature of compulsory service; and how then could the compulsory levy be considered as unconstitutional and oppressive, when the very militia of the country was raised on the same principle? The learned gentleman had fastened upon an expression which he had used, namely, that of "relaxing the discipline of the volunteers." This expression, critically considered, was not, perhaps, the most proper: but he had merely employed it for the want of a better at the time to express his meaning. "Remitting their discipline" was, perhaps, the expression that ought to have been employed. All the relaxation or remission that was intended was merely that the volunteers should attend fewer drills than were at present necessary. With regard to the supposed injury the volunteers would sustain from being deprived of brigading and inspecting officers, this could hardly be considered as great, when it was recollected that at present there did not exist the power of enforcing attendance, even on those days when inspection took place. With respect to the motion which had given rise to the discussion, there could not be the smallest objection to it. The object of the motion was very different from the object of the speech with which it was accompanied.

General Tarleton said a few words; and the question on Mr. Perceval's motion was put, and carried in the affirmative.

On the 23d Lord Grenville in the house of lords moved the order of the day for taking his majesty's message respecting the hostilities of Prussia into consideration: he was persuaded that there could be but one sentiment among their lordships, and but one feeling in the country, as to the line of conduct which it was necessary to adopt; and he believed that there could be but one opinion throughout Europe respecting the conduct of Prussia. Had there existed no connection between that power and Great Britain, and no alliances of blood, friendship, and gratitude, still it would have been the interest of his majesty the king of Prussia to pursue a course different from that which had occasioned the message which had just been read. Without entering into particulars with regard to the conduct of the Prussian government, he must observe that the court had been engaged in confidential intercourse with England previously to the battle of Austerlitz; and if any reliance could be placed on assurances and treaties, we had a right

to

to expect that she would be found not fighting on the side of the enemy, but sustaining the common cause of Europe against France. On the contrary, she acted as if she had been leagued with France from the beginning. Her first open act of hostility was to occupy Hanover, under pretence of covering the retreat of the British and allied army, and of securing her own frontier against the danger which might result from the establishment of a French force in the electorate of Hanover. That this was a flagrant violation of justice no one could deny, but his majesty was determined to apply to remonstrance and negotiation rather than to measures of a more serious character. Before time could, however, be given for the first temperate representation, before any explanation was offered and received, she took forcible possession of his majesty's electoral dominions. The country which she occupied a few days before, for the purpose of protecting and guarding it against the arms of France, within a fortnight after she appropriated to herself as a cession and a conquest made by France. This was the second step in the gradation of the injuries offered to his majesty. There was, however, a third step more general and injurious in its object and consequences. His Prussian majesty caused it to be notified to the British minister at Berlin, that, in obedience to a requisition from France, he must proceed to exclude the shipping of England not only from Prussia but from the ports of all the countries within the reach of her control or influence. His majesty deeply regretted that the acts of Prussia should involve in the calamities of war not only the subjects of Prussia but those of other countries. Whether any alternative remained to his majesty, it would be for their lordships to determine; to his mind there was none. He purposely abstained from making use of strong terms in speaking of the conduct of Prussia. One observation he must make, which was upon the probable mode of reasoning by which Prussia endeavoured to reconcile herself to the strange line of policy she had thought proper to pursue: "I have no enmity against you; France insists upon my ceding to her a part of my dominions: I must indemnify myself somewhere; you are my weaker neighbour, and I will wrest my indemnity from you." What could there be more monstrous, more unjust, more contrary to the principles of the laws of nations than such a proposition? He would allow that cases might occur in which a country might be obliged to cede part of her territories; but though her interests were affected, still her honour might be preserved. There was no disgrace in being the victim of necessity. It was not dishonourable to be obliged to bend to circumstances after an appeal to arms; the dishonour was in not contending against such an event, in yielding without an effort or a struggle. The grounds upon which he would move the address to his majesty were these:—the necessity of evincing that a connection did and ought to exist between England and Germany, and that we felt deeply for her interests: to convince Prussia that no power in Europe could exclude British ships from her ports with impunity: and to mark an abhorrence of that abominable principle of one power indemnifying itself at the expense of its weaker neighbour. There

was,

was, however, another powerful motive for proposing it, viz. to convince his majesty that they felt the insult offered to themselves, and that there was no part of his dominions in the possession of which they were not willing to defend and maintain him. In this loyal and patriotic sentiment he was persuaded every one who heard him would agree.

Lord Hawkesbury expressed his entire and unqualified approbation of the address. The electoral dominions of his majesty were invaded by France, not on account of a German quarrel, but on account of her hatred to this country. They were attacked in violation of existing treaties which stipulated and provided for their neutrality, as well as for that of the Hanse towns. Prussia was a party to those treaties, and her recent conduct was a violent infraction of the public law of Europe. That Prussia would feel the folly of the system she had embraced he was confident. The measures she had adopted against the trade and shipping of Great Britain, would recoil with tenfold force upon the commerce and navigation of Prussia. He hoped government would be impelled by this unexpected conduct of Prussia to cement more strongly the good understanding which had been fortunately established with two great Northern powers, he meant Russia and Sweden. To the firmness and sincerity of those powers, he was persuaded, we might look with confidence and satisfaction, as more than a counterpoise to the defection of Prusssia.

Lord Mulgrave said, after the complete vassalage of Prussia, he was convinced that it was impossible to be at war with France, without, at the same time, being engaged in hostility with her. The measures which had been taken had his decided approbation; they were marked with promptitude and energy, and were such as became a great and just nation.

The question was then put, and the address was carried *nemine dissentiente*.

In the house of commons, on the same day, his majesty's most gracious message having been read,

Mr. secretary Fox addressed the house: "I am sure that it is impossible that the message we have now heard read, can fail to excite the strongest sensation in every temper and disposition of mind which can exist in this house. In the first place, when we hear it stated that his majesty had abstained from appealing to his British subjects, on account of the violence and injustice which had been done to him in the seizure of his electoral dominions, it is impossible not to feel grateful for that kindness and mildness which his majesty has always shown to the subjects of this realm. It was with the most extreme reluctance that he could consent to involve them in war upon any ground that was not immediately and directly connected with British interests. After the sentiment of gratitude to his majesty for this tender consideration of his subjects of this kingdom, the next feeling which must be strongly excited by the message, is a feeling of just indignation at the conduct of the court of Prussia. I hope that every member, while he feels this just indignation, will at the same time perceive the propriety of uniting the most vigorous measures with a language temperate and moderate, and which does not violate that respect which had been always considered as due to crowned heads,

and ought not in the present times to be departed from. Indeed, to describe justly the measures which have been adopted by the court of Prussia against this country, they cannot be called the measures of the king of Prussia; for that sovereign is known to be of a mild and pacific disposition; nor could they be called the measures of his ministers, for no ministers could freely advise a proceeding so violent and injurious to the interests of that monarch. The measures must be considered such as his Prussian majesty had been induced to adopt, from the pernicious counsels of the enemies of this country. The origin of this proceeding is to be traced to the convention concluded at Vienna, on the 15th of December, between count Haugwitz and the French emperor: but when it is considered what was the situation of Prussia at the time that its sovereign concluded that treaty with France, it must be recollected, that its means of negotiation were still greater than what it derived from its own resources, or its own armies; and how did he apply those means? Why, to seize a part of the territories of one of those powers which had been supporting him in that rank and situation which enabled him to conclude his treaty. It cannot then be said, that this treaty, and the proceedings which followed it, were altogether the effect of fear; for, what was the necessity under which his Prussian majesty was placed? Was it merely the necessity of ceding Anspach and Bayreuth? This might have been a considerable misfortune, yet it was one which might be justified by necessity. But the sort of necessity claimed by the king of Prussia is different: he says, "Because I have lost Anspach and Bayreuth, I therefore feel myself under the necessity of seizing the dominions of some third power—not only of a third power, but of one that, from all times, and by every circumstance, I was bound to respect." This is the sort of necessity claimed by the Prussian court, and it is this which makes the case of Prussia much worse than that of any other nation in Europe. We cannot help looking with some degree of pity and contempt, on a power that can allege that it is reduced to such a necessity. It would be, in itself, a considerable humiliation or degradation to Prussia, to be obliged to give up those provinces to which it was so much attached, and which had been called "the cradle of the house of Brandenburgh." The degradation of this cession was still much increased by the conduct of the people of Anspach, who entreated their sovereign not to abandon them. Instead of lessening the ignominy of the cession, it was a great increase of dishonour, to sell a brave and loyal people for what was called an equivalent: it was an union of every thing that was contemptible in servility with every thing that was odious in rapacity. No example could be found in all the histories of war, and no mention had ever been made by the writers on the law of nations, of any power having a right to receive as a present, a country occupied during a war by one of the belligerent powers, but not ceded by the other. The house must therefore see to what extremity we are now reduced. It would be idle to say that a war with Prussia would not be a calamity. It is impossible but that it must be a calamity to this country to have the number of its enemies increased. It is also a painful

painful consideration to think that there is no mode of returning this calamity on the aggressors, which will not, in some degree, fall also on neutral and friendly nations, and even on ourselves. The house will, however, feel that there are occasions in which a manifestation of our principles and of our resentments becomes necessary, although attended with the calamities inseparable from war. Although I, for one, am not inclined to look very favourably on the present situation of this country, nor to feel so sanguinely as some other gentlemen, yet I think that, upon the present occasion, we should make a signal example of the court of Prussia; and whatever principles theorists may lay down about restoring the balance of Europe, I think we shall do more to restore the sound and true principles that ought to prevail in Europe, by showing the world, in this instance, that this country will not abandon them herself, nor consent that they shall be departed from by other nations in their transactions with her. I consider that the power of the country consists, in a great measure, in the known justice of its principles, in its moderation and forbearance; but if the court of Berlin chooses to depart from the principles of justice, and to act hostilely to this country, it must take the consequence. The French appear constantly to treat Prussia as a country that it is impossible to make a treaty or agreement with; and, in this respect, it is very likely that they are in the right. In our conduct upon this occasion, we shall have avoided a great evil, and done some good; we shall avoid the giving the sanction of this country to the spoliations which have been committed on the continent; we shall avoid the imputation of being indifferent to the fate of his majesty's foreign possessions, which would be a heavy imputation, even if it were supposed that their security was not immediately connected with the interests of this country: but, above all, we shall avoid the giving our sanction to that principle which has been lately adopted, of transferring the subjects of one prince to another, in the way of equivalents, and under the pretext of convenience and mutual accommodation. The wildest schemes that ever were before broached, would not go so far to shake the foundations of all established governments as this new practice. If we are to make exchanges, let us exchange those things which are the proper objects of exchange; let us give a field for a field, or let us exchange its stock, its oxen, and its sheep; but let us not consider the people of a country, or the subjects of a state, as matter for exchange or barter. There must be, in every nation, a certain attachment of the people to its form of government, without which no nation can subsist. This principle, then, of transferring the subjects of one prince to another, strikes at the foundation of every government, and the existence of every nation. I had, therefore, great pleasure in presenting the note delivered by me to M. Jacobi, which expressed, that no consideration of convenience or mutual accommodation, much less an equivalent, should ever induce his majesty to forget the exemplary fidelity and attachment of his Hanoverian subjects, or consent to the alienation of the electorate. I do not know that it is necessary to make any further observations; but before I sit down, I must state, that there can be no doubt but that

the shutting the ports of Prussia to British vessels is alone most clearly and unquestionably an act of hostility against this country." Mr. Fox then concluded, by moving an address of thanks to his majesty, which, as usual, was an echo of the message.

Lord Castlereagh rose to express his entire and unqualified concurrence in the address moved by the right hon. gentleman, and his cordial approbation of the sentiments with which it was introduced. From the manly manner in which the government had acted upon this occasion, it was impossible that any candid man could refuse them his praise. They had conducted themselves with a firmness so judiciously tempered with conciliation, as to maintain the dignity and resolution which pressingly became them in such a case, and, at the same time, not to shut the door against an opportunity of amicable adjustment, if the Prussian cabinet were so disposed. The right hon. gentleman who opened the motion had put the argument in favour of this country upon such broad grounds, and sustained the proceeding of his majesty's ministers by reasoning so irresistible, that he felt it unnecessary to add much to what the house had already heard. Indeed, under all the circumstances, he could not see how it was possible for our government to have taken a different course. Prussia, in becoming the instrument of France, to take hostile measures against this country, to adopt the course of annoying us that France had previously pursued, left to us no other alternative than that which had been taken.

On the 25th of April lord Howick moved the order of the day for the committee of supply: as soon as the house had resolved itself into a committee, his lordship moved for an increase of pay to the navy, nearly in the following words:

"I rise, sir, pursuant to notice, to submit a proposition upon which I am persuaded there can be but one opinion in this house. It must be equally the wish of all Englishmen to contribute to the adequate provision and comfort of a class of men who stand so high in universal estimation, as the British navy, and who have claims so peculiarly strong upon the esteem and gratitude of their country. It must, I say, be our wish not only to promote the comforts, but to secure the necessary rewards to that gallant body. Feeling this, I cannot suffer myself to entertain a doubt of unanimous support. I trust it will appear to every thinking man, that this addition, although considerable, is called for by the most pressing claims of justice and necessity, and that the country cheerfully yields to those calls, from a well deserved attention to the quarters from whence they proceed. An addition to the pay of a certain class of our navy has long been thought necessary, and that necessity has been frequently urged in vain. I was but a short time in the office which I have the honour to hold, when I found that measures were taking by means of petitions to lay the claims of this class before parliament; but I had objections to that mode of proceeding. I therefore thought it my duty to discourage it. I however took all means in my power to inquire into the case, well satisfied that, if there were any ground of complaint in any part of the navy, parliament would seize the first opportunity to remove it, and the country would be forward to applaud the act.

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The result of my inquiry has served to convince my mind that every class in the navy, from the superior officers down to the ordinary seamen, labour under disadvantages which ought to be immediately set aside. With this conviction I am of course of opinion, that no measure of relief can be effectual, that in fact any concession will lose much of its value, if partial in its application; and that the only way of doing substantial justice, and giving general satisfaction, is by raising the rates of allowance to all the classes of the navy. I shall, of course, exclude from the new arrangement those officers who received last year any addition to their pay—I mean the masters and surgeons. They were undoubtedly entitled to the attention they have experienced, but they have received their due proportion upon the scale I now propose. To all the other officers I shall extend the augmentation. I have said that I shall make no partial selection, and in this resolution I am justified by the advice of the most competent authorities, of persons best qualified to judge upon the subject. I am aware that an advance was made to the latter in 1797. But still it will be admitted that, from the enhancement of all articles of the first necessity, and the depreciation of money which has taken place within the last nine years, the demand of a further advance to these meritorious men cannot be considered unreasonable. To establish any increase of wages proportionate to the circumstances I have mentioned, it is not my intention to attempt. Indeed such a thing would be scarcely possible. I have endeavoured to keep equally in view the degrees of rank and the merits of service; and hope I have avoided the injustice and inconvenience of any partial selection, such as prevailed in 1797, when the addition to the seamen's wages was not such as to afford them much advantage or satisfaction, and yet it created an undue proportion in their favour. By any man who reflects but a moment on the sufferings, the privations, and the services of our seamen, it is impossible that a doubt can be entertained of the propriety of affording them every means of consolation in our power. When we consider the nature of the service in which they are engaged, what must be our reflections? Withdrawn from all the enjoyments of domestic comfort, exposed to all the hazards of war, deprived of the profits and security they had on board merchant ships, from which for the most part they have been taken; the prospect, in fact, of future advancement cut off, and perhaps forfeited for ever; such has been the state of the greater part of your present seamen for years back, excepting, in some degree, that period of disturbed and agitated peace, if that could be called peace, in which you were subject to all the embarrassments, and obliged to maintain all the expenses and apparatus of war. A large proportion indeed of your seamen has been in actual service for twelve or thirteen years, and in actual service of the most toilsome, dangerous, unprofitable, and unpromising description: compelled for the most part, of late years, to encounter the inclemency of all seasons, they have had to watch the enemy in his ports, without even the hope of meeting and conquering him; which would render a British seaman indifferent to fatigue. For, the enemy having no means of

safety but in eluding the vigilance of our seamen, disappoints that thirst for conquest and glory which distinguishes our gallant tars, and which reconciles them to danger. Under such an accumulation of disadvantages, can you refuse them any comfort in your power to administer? Can you hesitate to furnish them with the means of solace on their midnight watch?—Now, as to the scale of augmentation, I propose to allow every ordinary seaman an additional pay of sixpence per week, or two shillings per month; to every able seaman one shilling per week, or four shillings per month; to all petty officers, who, according to the universal opinion, are so materially instrumental in preserving the discipline, and promoting the success of our fleets, five shillings per month. At the same time I mean that a considerable addition should take place in the number of this very useful body of men—this addition to include all those who are denominated on board, the captains of the forecastle, of the mast, of the tops and of the afterguard, who are the most active seamen on board, and to each of them I propose an increase of 9*s.* 6*d.* per month. To masters' mates and warrant officers I would give an addition of six shillings per month. As the warrant officers are retained and receive their pay during peace, as well as war, the addition to be granted them, in this instance, is only to be allowed while they are in actual service. To the master and surgeons, I have already stated, no addition is to be made. But there is a class of persons in the navy, whose claims to attention are as well founded as the general respectability of their character, I mean the chaplains; among the general advance, I propose to grant to the chaplain the appointment of school-master, which will form an addition to his revenue of twenty pounds a year. I now come to the commissioned officers, whose pay has not experienced any rise since the days of queen Ann. First, as to lieutenants, who have received but five shillings a day since that period, I should add one shilling per day; to the captains and admirals, whose pay has been as stationary as that of the lieutenants, I would also make an addition. The captains, I assure the house, although their complaints have not been so often heard, have as much ground to complain, and are as much entitled to attention, as any class in his majesty's service. To the pay of these officers, therefore, I would add four shillings per day. The gradation respecting the admirals I would arrange thus: to rear-admirals, an addition of 3*s.* 6*d.* per day; to vice-admirals, five shillings; to admirals, seven shillings; and to admirals of the fleet ten shillings. Upon this calculation, the addition under the several heads will stand thus:

Officers	£56,383
Warrant officers	7,310
Masters' mates	2,563
Petty officers	27,600
Lieutenants	26,800
Captains	27,904
Admirals	31,806
Able seamen	78,000
Ordinary seamen	30,000
Total	288,366

Or say 300,000*l.* per annum. But as the estimate for the present year is only made out from May next, I have only now to move for the grant of 193,168*l.* To the principle of this arrangement I have no

fear

fear of any opposition; and if in the details any thing objectionable should occur, I shall be very willing to attend to the suggestion of any gentleman upon it. The plan of providing for those who are able to serve being gone through, we naturally turn our attention to those who are disabled by age, infirmity, or wounds, from any longer serving their country. For such persons Greenwich chest and Greenwich hospital already furnish some provision. As to the hospital, that institution has quite sufficient funds to answer its object, and any further allowance to the seamen who subsist on it would be rather liable to abuse. But, as to the chest, its funds would be insufficient for the purpose. Those in view require an addition of from fourteen to 20,000*l.* Out of this sum I would have allowed to out-pensioners a certain addition each, to be regulated according to their services and their present situation. From seven pounds a year, it should rise in gradation till it reached one shilling per day. For this sum I mean no addition to the public burthens. I propose it to be provided by a measure which will require a bill to be brought in, namely, by a grant of one shilling in the pound from all prize-money; and, in addition to this, I have no doubt of his majesty's consent to set apart, for the same purpose, all droits of the admiralty. His majesty's uniform solicitude for the comfort and rewards of the navy warrants a confidence in his acquiescence upon this subject."

The motion for the grant of 193,168*l.* with which the right hon. gentleman concluded, being read by the chairman; in reply to a question from an hon. member, lord Howick stated, that the proposed addition to the number of petty officers would amount to about ten in each ship of the line.

Lord Garlies perfectly coincided with the noble lord in the principle but differed in some respects in the application of that principle. As a naval officer, he must be a friend to any proposal for an adequate compensation being made to persons who deserve so well of their country. What was the present project? Three hundred thousand pounds were to be added to the public expense, and only a few were to be benefited by these regulations. The most essential class of men were still unprovided for in this plan; he meant the warrant and petty officers of the navy. The carpenters ought to be better provided for; they were fairly entitled to five pounds per month; it was true that in the large ships they received nearly that sum, but from a seventy-four gun ship downward, they did not enjoy this remuneration. The petty officers, who might be said to rank with the serjeants and corporals in the army, should receive three pounds per month, which is what they acquire in the merchant service. He could not object to the rewards assigned to the ordinary and able-bodied seamen; but rather than not competently provide for the warrant and petty officers, he would have left the former to the additional advantages they had to expect from Greenwich hospital, and the chest of the other meritorious institution. It was very desirable that the navy should be put upon that footing which should render it the object of voluntary service: by making the fit compensation, the compulsory means of the impress would be rarely necessary. With this view, he should wish that every

petty officer, who should not have been punished by a court-martial, and who should have regularly returned to his duty when called upon, should be entitled to a pension from the hospital, and that the benefits of this establishment should also be extended to the widows of such officers.

Lord Howick's motion being agreed to, the report of the committee was brought up on the 28th; when, after a short debate, in which lord Garlies and lord Howick were the principal speakers, the resolutions were agreed to.

Mr. secretary Windham on the 30th of April moved for the second reading of the bill for repealing the additional force act.

General sir James Pulteney rose to oppose the bill. He did not object to it from a principle of opposition to his majesty's ministers, but from the real conviction of his own mind: and whether connected or unconnected with ministers, he should have felt it his duty to have pursued precisely the same course, as it was avowedly the object of this bill to make way for the adoption of another measure to which his dislike was equally strong. His reasons for opposing the repeal of the additional force act proceeded from two distinct grounds; namely, the great military principle, and what he should call the civil or minor principle. The military principle was that by which men were to be enlisted for the service, first, for a limited term of five years, and afterwards, if they should choose it, in a second battalion, with additional bounty for general service, without limitation of time or place. This he considered as a principle perfectly consistent with the spirit and objects of military service. The second principle, or that of raising men by the influence or authority of the parish officers, he considered much less important, and, for argument sake, he was willing to give it up, as wholly inadequate to any eligible or permanent purpose; but for the maintenance of the first principle, he was not only disposed, but ready to contend. In the first place, he thought it rather extraordinary that the right honourable gentleman should propose the repeal of a bill, the leading principle of which was to give the recruit an option of enlisting either for limited or general service; and this at the very time when he avowed his intention, under this proposed modification, to adopt that principle as one of his indispensable propositions. But though the bill now proposed to be repealed gave to the recruit an option for the limitation of his services to time and place, the latter he thought the still stronger inducement, and that, if any thing could more strongly than another reconcile the recruit to enlistment, it was this. Yet it was found by experience, that in point of fact this option had no material influence whatever in preventing men who enlisted for limited service, to extend the term afterward by enlisting for general service, and for life. One of the principal arguments against raising men in this way was, that it cost double bounty. He would admit the bounty was something higher for general than for limited service; but if for the difference of six guineas per man, men were to be enlisted for life and general service, instead of temporary and local service, the difference would not exceed one hundred and twenty thousand pounds; and this was a sum which, in these times, it would

would be false œconomy to save, by forgoing so important an advantage to the service. But œconomy was not the only principle upon which the plan of the right honourable gentleman was opposed to this bill. It was said that by his plan, the men would be raised sooner than for general and unlimited service. He saw not, however, any great difference whether the men were raised in three months or in six, if they were but obtained; and it was obvious from what had already been proved, that the difference between limited and general service had not such an effect in promoting or discouraging enlistment, as the right honourable gentleman professed to think. He could not, therefore, discover any superiority in the plan he proposed, that could induce him to relinquish the principle, the advantages of which had been already so long, so uniformly, and so recently experienced. He begged leave now to offer a few observations upon its disadvantages; in doing which he should confine himself to the regulations proposed by the right honourable gentleman himself. And first, as to his proposition for enlisting men for a limited term of seven years, and discharging them at the expiration of that term, even though in the midst of war. He understood, indeed, that military opinions of high authority, of no less a person than the great lord Cornwallis, and another experienced officer, were in favour of it for home service, and in times of profound peace. But with respect to foreign service, and times of war, the general opinion of military men was decidedly against it. The right honourable gentleman, in support of his principle, had pleaded the uniform usage of foreign services on the continent, and said, that until of very late years it was the uniform practice of all Europe. The right honourable gentleman, to be sure, had not relied much upon this argument: but he should himself be glad to learn in what service of Europe such a principle had obtained. In fact, it never had been the usage of any of the continental services, to enlist men for a limited term of service without annexing the condition of 'during the war.' As to the other objects proposed by the plan, particularly that of obtaining soldiers of a superior character, he could not perceive any very prominent advantage. Discipline was the great and most desirable object, and that men of the meanest capacity generally learned in a short time, so as to enable them to practise all the manœuvres necessary in the field. He begged also to ask, whether it was probable that the way to attach a soldier to the service, or to good discipline, was to teach him to look forward perpetually to the termination of two or three years, which would free him from all subjection to the authority of his officers? He should ask also, whether the telling a soldier, that his profession was a bad mode of obtaining a livelihood, was a promising way to induce him to prefer or remain in the service, without perpetually looking forward to other views, or the imaginary comforts of other occupations? or whether a soldier on foreign service, looking anxiously forward to the termination of a short period, which must restore him to his native country and his family, was more likely to sustain fatigues and hardships, or encounter dangers, and reconcile him to all the vicissitudes of a soldier's fortune, than if he had assumed

assumed the profession for life, and was conscious that, though he might escape one danger to-day, he might fall on the morrow? The country did not seem to him in a state that could call for a measure so new and extraordinary; and circumstanced as we now stand, surely no measure could be more improper than a proposition to discharge from the service, and even in the midst of a war, or on the eve of a most important emergency, the most valuable class of men in the service, who had been rendered good soldiers by seven years service, in which they had been seasoned in various climates, and inured to all the habits of military life. It would be impossible to attach men to a mode of life which they were told was to continue but for a short time. It was impossible, also, that officers should not be extremely anxious to retain those men whom they had with so much care and attention trained to a knowledge of their duty; and surely it was infinitely better for the service, that the men should depend upon the officers than the officers upon the men. This was felt even in the militia, where the term of service was only for a limited time of five years, and the officers felt much disgust at being deprived of the disciplined flower of their regiments; and even in that branch of our defence, it had been found necessary to include the term 'during the war, in the period of service. Upon the whole, then, conceiving the bill now proposed to be repealed, to be superior, in many respects, to the plan proposed for adoption in its place, he should not consent to its repeal, at least before the plan of the right hon. gentleman came first before the house, and was subjected to some modifications which might render it less objectionable.

Mr. Mainwaring did not feel it necessary to examine very minutely the structure and machinery of the component parts of the bill proposed to be repealed; nor did he feel the present a fit opportunity for discussing the merits of another measure proposed in lieu of it. But he should have thought it more advisable for the right honourable gentleman to have waited until he had matured the plan in his contemplation before he had proposed the repeal. However, as there was a very principal part of the bill to which he had insurmountable objections, and as he felt himself forced reluctantly to vote against it, he rose to give the reasons which influenced him to that vote, the necessity of which he regretted, because, if those who brought forward the present proposition should succeed that night, it would encourage them to triumph in having got rid of this bill, merely to make room for another, the principles of which, so far as he had heard them explained, he by no means approved. His leading objections to the existing bill were, first, that it imposed upon churchwardens a species of duty wholly incompatible with their functions. Another objection he had to the bill was, that it was a measure of partial, and, in many cases, of oppressive taxation. It might be said that it was a measure of public defence, and that all measures of defence were necessarily measures of taxation:—true, but not of partial taxation, for a general advantage; for, as the benefit of the defence was universal to the country, so also should be the principle of the taxation in support of it. The burthen should be equally divided

in the same proportion, and under the same system of finance, as the other general taxes of the country brought forward every year, and not suffered to fall most heavily, as this certainly did, upon classes and individuals least able to bear it. The bill at first avowed for its object a burthen upon the population of the country, at large; but where it could not be productive in raising the men, then it became operative in the way of partial taxation. Unfortunately it was not in the most populous parishes that the means of payment were most easy; consequently the heavier burthen fell upon the most numerous and most indigent classes; and as the poors' rates formed the basis upon which the tax was assessed, it was not upon the splendid palace, or the wealthy and titled occupant, that the chief onus fell, but upon the industrious and often distressed tradesman. Having said thus much against the bill now proposed to be repealed, he fully agreed with the honourable baronet who preceded him, in the propriety of not abandoning a system of enlistment that had been found so productive, for a project yet untried. He perfectly agreed in the trite though vulgar adage of "Leave will alone," for the attempt to improve it might have the contrary effect. The right honourable gentleman, he was convinced, in speaking of the feelings and sentiments of common soldiers, spoke of them rather as what they ought to be, than as what they really were. They were, he believed, a class of mankind rather actuated by the impulse of the moment, than by any views to remoter considerations, and by no means as men of the refined feeling or sentiment which the right honourable gentleman appeared to consider them as possessed of. Having thus expressed his general sentiments, he concluded by declaring, that he should vote for the repeal of the bill—so far, at least, as it was calculated to oppress parishes and their churchwardens.

Mr. Canning.—I gave way, sir, with the greatest satisfaction to the honourable general who opened this debate; because, in the very extraordinary situation in which the house is at present placed,—called upon as we are to discuss questions not immediately perhaps within our province or capacity, questions of a purely military nature,—and having been denied by his majesty's ministers those lights which are to be derived from the opinions of high military authorities,—it is certainly very desirable that we should avail ourselves to the utmost of whatever professional knowledge and experience we happen to possess among ourselves; and it is peculiarly fortunate that we do possess, in the person of the honourable general, and others, a degree of that knowledge and experience sufficient to enlighten and direct our decisions. If, sir, from this feeling I gave way to the honourable general with satisfaction, that satisfaction certanly has not been diminished by finding in his judgment and authority the confirmation of those opinions which the best attention that I could bestow upon the subject, and the best inquiries that I have had an opportunity of making, had led me to form and to bring down to this house, subject to be corrected here by fuller discussion and better information. I submit that the true view of the question now before the house, is that which the honourable general, who opened the debate, has taken of it. It is not whether

whether the additional force act shall be altered or modified. It is not merely whether the provisions and enactments of that act shall be altogether repealed. It is, whether by the repeal of the principle upon which that act rests, and upon which rest also all the other measures by which we have hitherto been in the habit of providing for the internal military defence of the country, we shall this night take the first step towards a complete change in the whole of our military system. This is, as it strikes me, the real question upon which we have to deliberate: and a more awful and momentous one was never submitted to the deliberation of the house of commons. It is upon this ground that I found the amendment which I shall take the liberty of submitting to the house; and for which I do really think not only that the house in general, (who having heard the right honourable secretary's statement of his plans, must be aware that that measure, which is now immediately before them, is the very last and least considerable part of what they have to look for at his hands;) but that even the honourable gentleman himself (Mr. Mainwaring) who is so decided an enemy to the additional force bill as it at present operates, may vote with perfect propriety and consistency. I shall not ask of the house to negative the repeal of that bill; much less shall I ask of them to determine upon retaining it with all its existing inconveniencies and imperfections (whatever they may be). But I shall entreat of them not to decide precipitately, and inconsiderately to repeal and do away for ever, not this or that clause of a bill, or this or that modification of the principle on which it is founded; but the very principle itself, the very foundation of this, and every other measure, by which the military establishments of this country have been sustained at a height adequate to its necessities. I shall entreat of them not to decide upon this repeal, without having previously considered and ascertained what measures of security, what plan, with a rational prospect of efficiency and success, they are likely to see substituted in the room of what is proposed to be destroyed. With this view, I shall propose to the house to defer the vote upon the second reading of the bill now before them, for such a time only as may give the right honourable gentleman sufficient opportunity to develop those plans of reform, and regeneration, which he opened to us generally on the former night; and the first statement of which, I am sure, has created impressions rather of alarm and anxiety, than of that undoubting confidence, which should induce us to forgo whatever security we now possess, in order to trust entirely to what the right honourable gentleman may provide for us hereafter.

In voting for the proposition which I mean to submit to the house, they will not be required to vote against the principle of service for a limited period. All that I want is to postpone the repeal of this act, involving, as that repeal would do, a renunciation of our established system, until we shall have had an opportunity of discussing fully, and judging fairly, the expediency and efficacy of the system which is to be substituted for it. I do not object to the fitness of having this measure tried; but doubting much its capability to sustain the load which the right honourable gentleman proposes to

lay upon it, (and if it cannot sustain that load, however good the thing may be in itself, his case is not made out,) — I conjure the house not to recede from all their former votes, from all their recorded opinions, from the established practice of the country, to risque the safety of the state upon a wild and untried theory, which has only the right honourable gentleman's dictum to vouch for its success. When the right honourable gentleman talks of this measure as an improvement in the condition of the army, I answer, (as I have already answered) that I would oppose no improvements; that the army has, on many occasions, very properly experienced the beneficence of government; that it was not forgotten under the administration of my right honourable friend. But when he represents it as an improvement of such value and extent as of itself to insure a constant supply of recruits, more than equal to the increased demand which it will itself occasion, and of recruits of an infinitely better description than are now to be had, I confess I much doubt whether this statement is not a little exaggerated. I apprehend that the very best description of soldiers are those which are recruited from among the peasantry: now if the mere physical advantages of the soldier's condition over the peasant's are sufficient to induce the latter to enlist, I really do not see that any thing the right honourable gentleman proposes to add to that difference can materially increase its operation. Food and raiment, and lodging, and fire, and moderate labour, and care in sickness, are the essential points in which the situation of one man can, physically speaking, be made materially preferable to that of another; and this distinction, I apprehend, exists already in a sufficient degree between the soldier and the peasant, to give you whatever fair chance may arise from a comparison of the two situations. But there is, it seems, in the notion of service for life, something so revolting, something so terrifying in the very sound, that it is of itself sufficient to deter the young recruit from enlisting. In the sound, perhaps, there may; and it requires but little reflection to discover at once the incorrectness of the expression, and the extravagancy of the inference which is drawn from it. Service for life, we well know, means in fact no more than service during the military age; during that period of a man's life which, whatever be the original choice, destination, or necessity that determines his pursuit or occupation, must infallibly be devoted to that pursuit, and at the end of which period alone he can look for retirement or release. And if, at the end of that period, he is ensured a competency proportioned to his station in life, it cannot be denied, that the profession which affords that assurance, is at least not inferior in its attractions and advantages to any other which is open to the same rank or class in society.

If, sir, the right honourable gentleman is so satisfied of the perfection of his projects; if he is confident that the advantages which he proposes will not be counterbalanced by any of the inconveniencies which we apprehend; if he thinks the indefinite enlistments so onerous and unreasonable, and service for a limited period so certain a remedy, and so safe a practice; I cannot forbear expressing my surprise, that he should not think of applying

applying this change to the existing regular army. He has expressly told us that it is not his intention to do so; and he tells us in defence of this seeming inconsistency, that the existing army, having entered into a contract for indefinite service, has no claim to release or mitigation. I confess, sir, I cannot entirely agree with the right honourable gentleman in his construction of this contract. I doubt whether, in fair construction, he who enters in a state of life which may subject him to many contingent hardships, does not become entitled to any contingent advantages which may belong to it. But, be this as it may, I am very sure that the right honourable gentleman is the last person who could consistently hold the existing army to his own construction of the contract. He, who contends that enlistment, hitherto, has been a trade of trick on one side, and delusion on the other,—he, who considers these tricks and delusions as one main ground for an alteration of system, cannot surely mean to exclude from the benefit of that alteration the very case which has given rise to it, and, when he has applied a remedy to the grievance, refuse it to those, and to those only, who are the individuals aggrieved. The right honourable gentleman has extolled in the highest terms the advantages of a large regular army. On that subject undoubtedly there can be no difference of opinion. But without carrying to too great an excess a veneration for the establishments and opinions of our ancestors, we may be permitted to doubt the propriety of carrying the regular army to an unlimited extent, without any check or balance in the other parts of the military system of the country. Upon emergencies our regular army may safely be augmented to any point to which we can conveniently carry it: but it has always hitherto happened, fortunately at least, if it has not been contrived wisely, that the other descriptions of our force have grown with it in the same proportion. The right honourable gentleman is endeavouring to lay the foundation of a large regular army, while he is sapping all the other establishments which ought constitutionally to accompany it. The right honourable gentleman may perhaps tell me that the checks and balances to which I allude, are mere creatures of the imagination; for that it is utterly improbable that our militia or volunteers should in any instance be drawn out against the line. God forbid they should! But look, sir, at the analogy of our civil constitution;—what is it but a system of mutual checks and balances, which have a sure though silent operation on each other? When foreigners are told of the power of this branch of the legislature, or of the power of that branch,—of the prerogative of the crown, and of the privileges of parliament,—they imagine, amidst such conflicting authorities the work of government and legislation must be at a stand: on the contrary, we know that it is carried on the more smoothly for this opposition of powers, and that the mutual consciousness of each other's strength preserves all parties within bounds, and contributes to the security of the whole. The very stillness of the balance is a proof of its stability.—Such is likewise the operation of our checks upon our standing army. Nor have there been wanting instances, even in times

which

which are in the remembrance of us all, when the regular army alone would not have been adequate to preserve the tranquillity of the country;—when to have been dependent upon it alone would have been hazardous in the extreme. This is a subject of infinite importance in a constitutional point of view; it is a subject of infinite delicacy also: and if I feel it to be so at this moment, while we are yet in possession of all those securities which it is the right honourable gentleman's object to destroy, I cannot help apprehending that some ten years hence perhaps, when the right honourable gentleman's system shall have had its full effect, and shall have left no other military force in the country than a huge unbalanced standing army, a member of parliament may rise in this house to deliver his opinion upon subjects in which the army is concerned, with very different feelings from those with which I now address you. For the first time since the revolution, parliament has this year voted the supplies for the army, before the army estimates were presented. Having so far forgone the jealousy which ought to characterize our proceedings, we are bound to be the more cautious in considering what sort of army is to be raised and maintained by these supplies; particularly we are bound to take care that we do not suffer the principles of the constitution, and the practical security of our liberties, to be brought into unnecessary danger. I do maintain that such is the tendency of the right honourable gentleman's system. The militia itself, if it is to be raised according to the new mode proposed by the right honourable gentleman, and to be raised by the crown, will be liable, in a great degree, to the same constitutional objection which applies to a standing army, though without producing to the country the same advantages. This, and the standing army itself, will be the whole that the right honourable gentleman proposes to leave us. Against a regular army so constituted, I doubt whether the mutiny bill itself would be the same security that we have hitherto found it. The mutiny bill is annual, and recognises no term of service. But if the right honourable gentleman's system takes effect, if we consent to raise the soldier's pay at the end of a certain number of years, and to give him certain other specified advantages at the end of another specified period, and make this the condition of his original enlistment, I confess I doubt how far, when by serving a portion of that time he shall have acquired a vested right in these contingent advantages, it will be competent for this house to cut short his service by a premature dismissal. The right honourable gentleman may perhaps see some solution to this difficulty, if it has ever occurred to him: but it is at least a difficulty gratuitously incurred, and better avoided. Sir, I think we should have been justified from the statement of the principle on which the right honourable gentleman proposed the repeal of the additional force act, and upon which he professes to act in his plan, for the alteration of the militia system, as well as for the recruiting of the army, from the preference which he has manifested throughout, for voluntary over compulsory service, in concluding that there was at least one military institution in the country which he must regard with admiration. If the right honourable

able gentleman had read in ancient history, that the whole population of a country, of a great commercial nation like this, a Tyre or a Carthage, had suddenly quitted their accustomed habits, and had voluntarily assumed a martial appearance, and subjected themselves to military discipline, he would have spoken of such an event with enthusiasm. But realities do not suit the right honourable gentleman. Distant phantoms alone can interest his feelings. At the very time when it is said by France, when the school of Talleyrand and Hauterive are labouring to persuade the nations of Europe, that the people of this country, gorged with wealth, and sunk in the low pursuits of gain, are altogether insensible to honour, and incapable of exertion; that the flesh has so far overgrown the sinew, that there is neither strength nor spirit remaining among them; at that very moment have they given the lie to those assertions, and proved themselves alive to every generous and patriotic sentiment. Whatever may be, in the right honourable gentleman's eyes, the military use or disadvantage of such an effort, it cannot be denied that upon the continent at least the volunteers had given confidence to our friends, and lowered the tone of our enemies; that in whatever part of Europe this sudden rush to arms was known, the opinion there instantly prevailed, that our danger was dispelled, that England was saved. It is surely not our business, it is not the province and duty of a minister of this country, to endeavour to lower this confidence, and re-animate the hopes of our opponents. But the right honourable gentleman looks at these events, if not with a prejudiced, at least with too impartial an eye; and what he would have hailed with rapture in the history of a distant period, and described in a learned language, brought near to his eye in action, and exemplified in the plain instance of his own country, fills him with disgust. He sees with no complacency these 'belli simulacra' exhibited among persons whose every day habits are known and familiar to him. He has no reliance on their military prowess. He even fears that the assumption of the soldier by the citizen has polluted and degraded the military character. Sir, I cannot agree with the right honourable gentleman, that regular armies are the sole champions on which countries must depend for their existence; that, this champion once defeated, the country must fall. The right honourable gentleman instances the surrender of Ulm, and the battle of Austerlitz: he tells us that the French force marched from Ulm to the Inn, through an unresisting population, and that Vienna fell without a blow. But I would ask that right honourable gentleman, if there had been between Ulm and the Inn, or between the Inn and Vienna, four hundred thousand volunteers, or the militia of which this country can boast, would the conquest of that capital have been then so easy? or would it, in all probability, have been effected at all? (Hear hear!) I can, therefore, see no cause for stating, that the very existence of the country depends on the regular army alone. With respect to the other doctrine which the honourable gentleman holds in disparagement of the volunteers, that the union of the civil and military characters has disgraced the latter, my opinion is directly

directly the reverse. I consider this union as not only peculiarly honourable to the general character of this country, but as analogous to its constitution. When it is explained to foreigners that so great a portion of the distributive justice of the country is administered by men not in the profession of the law, but by magistrates, who lend their services to the public for this purpose, they are astonished at a practice so different from that which obtains on the continent. No one, I believe, however, will venture to assert that the profession of the law in Great Britain is contaminated by this practice; or that the dignity of those who fill the high magistracies of the country is in any degree impaired by this voluntary association, in some of its duties, of men who neither are, nor pretend to be, their rivals for honour or renown. In like manner with respect to the volunteers—who has contended?—no man has contended or argued,—that the volunteers are, or can be, or need be, equal to the regular army,—nor do I so understand the reports on the table, which state, that they are competent to "act with the line." All that is contended for is, that they are in such a state of discipline as to aid, and not disconcert, the regular army; to communicate strength to them, and not weakness and confusion. I heartily wish, sir, that the same words, with the same limitation, and the same justice, may be some time hence applied to the right honourable gentleman's mass!!!. With regard to this mass, several questions arise, which no doubt the right honourable gentleman will, some time or other, think it fit to answer. How are they to be trained? how combined? and whither are they to go? To find officers for the purpose of training them will not be so easy as the right honourable gentleman imagines. The militia, upon which he appeared to reckon, certainly cannot spare them. The very fault of the militia is, that it is itself imperfectly officered at present. The officers of the second battalions have been mentioned for that purpose: but of the 57 second battalions, 30 are 300 strong, and want all their own officers; and the remaining 27, which are not filled up to that amount, are officered only in proportion to the amount to which they are filled. But supposing them trained, what is then to become of them? are they to be ticketed and labelled, and laid by for use? under whose custody and superintendance? who is to be answerable for their forthcoming? how will it be possible to keep a register of 200,000 names a year, which in six years will amount to 1,200,000, so as to enable government to lay their hands upon them immediately on their being wanted? The nature and the object of their training are likewise to be matters of consideration. If they are to be employed in annoying the enemy from over hedges and behind ditches, a training would be required very different from that which the right honourable gentleman seems to have in contemplation; and not only officers to instruct them, but commanders under whom they may rally in the day of action. But if, as has been stated by the right honourable gentleman, they are to be taken into the ranks of the regular army, I wish to know whether there is a single commanding officer, who, having lost

two hundred men, would not much rather go into battle again with his shattered battalions as they were, than see them filled up with men who, from their inadequate discipline, must create the utmost confusion? The house must well remember the obloquy that was cast on the measure of drafting from the militia to regular regiments, when the expedition to Holland took place;—yet how infinitely superior must the militiaman be to the peasant, who should only have been trained for twenty-six days in the year! And this suggests another consideration; the kind of encouragement which is to be held out to the individuals who compose the mass. I have no doubt that they will act bravely; every Englishman does so: but, certainly it is not very alluring to say to them—'You will never be called on until a vacancy occurs:' in other words, 'until the man is shot, whose place you are to supply.' These men, too, are not to be regimentally clothed; so that, as soon as they enter the ranks, they will probably meet with a proclamation from the enemy, that all men taken in arms, and not regularly soldiers, should undergo military execution. It is not likely, after every allowance has been made for their courage, that these men could display any great zeal under such circumstances; or at least that the full benefit can be derived from their constitutional bravery and spirit, which under better regulation might reasonably be expected from them. I am far from contending, however, that, by this contradiction of himself alone, the right honourable gentleman has necessarily precluded himself from forming a good plan. I contend, on other grounds, that he has not formed one; and on these grounds I contend that he has completely failed in establishing the viciousness of the principles of those which he proposes to abolish. I contend, therefore, that the question which the house has to decide to-night, so far as the additional force bill is concerned, is purely a question of comparison,—of comparison between two modes of applying the same principles, that which already exists and which has been found good for something at least, and that which the right honourable gentleman purposes to propose, and which promises nothing salutary and nothing useful. It is not a question simply, whether the additional force bill shall be repealed, and its principles altogether got rid of;—for the principles, after all, the right honourable gentleman promises to re-enact;—but whether we shall gratify him by giving up a measure altogether, which a little alteration may make unobjectionable, and then trust to such hopes as he has given us for a perfect system to be produced hereafter. That any thing which he has yet opened deserves that name, the most sanguine of his admirers cannot contend or believe.

"Sir, I am far from wishing that a measure should be fastened on the country, which the government are determined not to carry into effect; but I certainly wish that the house should, by their vote, show that they do not think the right honourable gentleman's plan all sufficient as a substitute for our present system, unless it shall be very considerably altered from what it has been stated by him. Sir, I would myself be the first to move, that the additional force act should be referred to a committee

mittee for the purpose of adding to what is defective, and correcting what is erroneous; and I would even after that willingly abandon it altogether, if it were found inferior to the amended plan of the right honourable gentleman. But my object is, to gain time to institute this comparison; my object is, not to part precipitately with what we have, until we are better satisfied of the advantages of what is intended to be proposed to us; and I shall therefore move, that for the word '*now*' in the original motion, be substituted the words 'this day three weeks.'"

Mr. Wilberforce considered the principle of the bill now proposed to be repealed, to be vicious and defective, and he should therefore vote for the motion. He had taken all the pains in his power to inquire into the efficacy of this measure. He had not trusted to his own judgment, but had consulted the opinions and experience of several respectable magistrates, and they had all assured him that the measure was wholly unfit to be rendered permanent. In the three ridings of Yorkshire, he found, upon minute inquiry, that either the difficulties were so great as to prevent the operation of the bill, or that no man had been returned at all. Those different ridings were very differently situated and circumstanced, but still the result was the same. Similar effects were to be found in other counties: in Somersetshire the bill had almost entirely failed. In Bath not one man was raised out of a quota of sixty-four. How then did it appear by the return, that so many men were raised? It was by the breach, and not by the observance, of the law, that they had been so raised. The law never could be made effectual but by the breach of it. The people of this country did not like to have men asked, when it was money which was the only tendency, if not the only object of the request. He professed a high respect for the character of the right honourable gentleman with whom the measure originated; but he was convinced that, were that right honourable gentleman present, he would be among the first to propose some substantial alteration, if not a total repeal of the act. One of the best traits of his great character was, his adaptation of his public measures to those circumstances of imperious public necessity, that required a change in the conduct of government. This trait he recommended to all ministers, who would find in it a reward that would outlive all temporary unpopularity, and charges of wavering inconsistency. If we continued the present inoperative bill, we must go on fining the parishes instead of raising men, and committing acts of injustice and oppression. He believed the discussions on this measure had produced many valuable hints, and much useful information on the subject, of which he hoped the legislature would avail itself. But he felt it his duty to vote for the repeal, totally independent of any consideration that respected the plan proposed by the right honourable gentleman opposite.

Mr. Long spoke against the repeal.

Mr. Hawthorne then made a very elaborate speech for the repeal, which we are unable to give on account of its length, and because it does not admit of abridgment, owing to the various calculations contained in it. Several other gentlemen fol-

lowed in the debate; when the house divided on the amendment proposed by Mr. Canning,

Ayes	119
Noes	235
Majority	116

After the division, lord Castlereagh expressed his determination to oppose the bill for repealing the additional force act in every stage.

Mr. Fox said, that as every man was at liberty to choose his own way of discussing a proposition, so those who opposed the bill brought in by his right honourable friend may wish to avoid entering into the merits or defects of the act it was intended to repeal; but, for his part, he would not discuss other measures while a particular bill was under consideration. He was not indeed surprised that they should abandon the defence of their favourite additional force act, and endeavour to fasten upon the other parts of the plan proposed by his right hon. friend. The right hon. gentleman (Mr. Canning) had displayed no little share of dexterity in evading the discussion of the only question which was before the house. He would admit that his speech was a most able one; but still it appeared to him to have one defect, and that was, that no part of it was directed to the consideration of the act it was proposed to repeal.

Mr. Canning asked for what purpose Mr. Windham had brought forward his system, if it was not intended that it should be considered by every man in the country? Was a system over which the whole nation was lamenting; which had filled with alarm and dismay every man in it, to be passed over in silence? If a man proposed a series of resolutions, and concluded a four hours speech with moving the first of them, were you to be debarred from considering the whole? The right hon. gentleman was much mistaken, if he supposed there was any shyness on that side to encounter his system, than which there could be nothing more preposterous and absurd; a system calculated to shake the whole of our military establishment, to produce dissatisfaction in the army, and to make it doubt of the propriety of its existence. A system—

Lord Temple called to order, because he conceived the language employed by the honourable gentleman not fit to be attributed to a proposition brought forward by any member of this house, much less to a member of his majesty's government.

Mr. Canning.—I trust, Mr. Speaker, we are not come to those times when a strong government, which shall be unable to answer an argument, shall be able to put it down. I trust, sir, that we are not to have silence imposed upon us in this house. I do hope that the noble lord and those who are connected with him in his majesty's government will not deprive us of the liberty of speech; that we shall be allowed the freedom of discussing their measures. I do hope that the noble lord does not mean to have recourse to a plan of which I have formerly heard. It was once observed to Mr. Burke, by a member of this house, that he was surprised ministers, instead of debating, did not try the effect of silence in this house; to which he answered, "that they had tried it, and they found it would not do." So I will tell the noble lord. Why did his right hon. friend bring forward his plan before the recess, if he

he does not mean to proceed with it immediately? Does he mean that it should go forward, or does he not?

Mr. Windham.—My surprise was not that the right honourable gentleman had introduced these topics, but that he did not introduce many more of the same kind. As to the question put by him, I will state, that there is no intention to make any change in the plan which I have laid before the house.

After some more conversation, in which colonel Crawford, Mr. Perceval, Mr. Sheridan, Mr. Fox and lord Castlereagh took part, it was agreed that the bill should be committed for Tuesday next. On that day the subject produced another very animated debate, in which the principal speakers against the repeal were Mr. Johnstone, lord Castlereagh and Mr. Perceval; and those for the repeal were lord Henry Petty, Mr. Fox, and Mr. Bragge Bathurst. The bill was finally passed in the commons on the 15th of May. On the same day

Mr. Jeffery rose to call the attention of the house to the naval administration of lord St. Vincent, whom he pledged himself to prove guilty of culpable neglect and gross misconduct during the time he was at the head of the admiralty. The speech on this occasion was delivered from paper, and took some hours in reading. It consisted of many very serious and important charges against the noble lord, and it was concluded by a string of motions, forming a summary of the matters contained in the speech, which closed with one accusing lord St. Vincent with gross misconduct and dereliction of duty. He then moved, "that the house do resolve itself into a committee to consider these charges." Lord Howick, admiral Markham, lord Garlies and others vindicated the conduct of lord St. Vincent; and upon the question being put, Mr. Jeffery's motion was rejected almost unanimously.

Mr. Fox then rose, and, after a short introductory speech, moved, "That it appears to this house, that the conduct of the earl of St. Vincent, in his naval administration, has added an additional lustre to his exalted character, and merits the appprobation of the house;" which was agreed to without a division.

On the 16th Mr. Robson rose to bring forward his promised motion for the production of certain documents from the department of barracks, with a view to institute some inquiry into certain gross abuses in that department through the wasteful expenditure of the public money. He said it was now four years since he had ventured to obtrude himself upon the attention of that house, by some observations and a motion on the very subject which it was now his purpose to offer for their consideration, namely, the gross abuses then existing in the barrack department; and he, on that occasion, warned the house of the enormity of those abuses, upon which he had not the good fortune of being able to institute, at that time, any inquiry; but which now were palpably proved to have existed to the full extent which he then asserted, by the report now in his hand, and which for some time had lain on their table; and he would now venture to say, that had his advice been then taken, many millions of the public money would have been saved, and no occasion would have existed for laying such a report before parliament. It was now

some years since the house had been in the habit of voting large sums of money for the erection of barracks in various parts of the kingdom; but those votes had of late years increased to enormous sums of money. Last year the sum was two millions three hundred and odd thousand pounds, and the year before it was one million seven hundred thousand; in fact, it had been rapidly increasing every year. Having, upon a former occasion, attempted in vain to induce the house to go into some investigation, finding his former opinions justified by the report now before the house, and desirous once more to bring forward the subject to the notice of parliament, it was natural for him to look a little into the matter, in order to acquit himself of a duty which he felt incumbent upon him, now that the reins of government were got into the hands of other ministers, who, he trusted, would offer no impediment to fair inquiry, to ascertain, if possible, what became of those enormous sums so voted. With a view to this purpose, it was his intention to move for the production of certain papers from the barrack department, which he trusted the house would have no objection to grant.

Mr. J. Martin seconded the motion.

Lord Henry Petty said, if the honourable gentleman had done him the honour to make the slightest communication to him of his wishes or intentions upon the subject, he should have hoped to be able to satisfy the honourable gentleman, that his motion for papers, and the purpose he had avowed, were rendered unnecessary, by another arrangement which had already taken place. As the honourable member had not thought proper so to do, he would beg leave to say now, that, although he saw no objection whatever to the production of the papers named in the honourable gentleman's motion, yet, at the same time, as the house had already appointed commissioners for the very purpose of the investigation avowed by the honourable member as his object, and had delegated to them its authority to inquire, with the utmost minuteness, concerning every expenditure in the barrack, as well as all other military departments; which commissioners were proceeding with all the expedition in their power, consistently with the nature of the subjects referred to their examination; he would put it to the good sense of the hon. member, whether it would not be much more orderly, and consistent with the regular proceedings of parliament, first, to await the report of those commissioners, or to communicate to them any object he conceived most prominent, or any information that could aid or accelerate their inquiry, before he proceeded to call upon the house to institute another inquiry, to proceed at the same time, and upon the very same subject. He would submit to the honourable member, whether it was a discreet procedure, while a parliamentary commission was occupied in this very inquiry, to supersede the authority delegated to them without any pretence of complaint, or any alleged ground of imputation upon their proceedings, and to move for another inquiry upon the same topic. If, indeed, when they should make their report, the honourable member should find any just cause to complain of their negligence, or partiality, or unnecessary delay, it would

would be competent for him to arraign their misconduct, and to call upon the house for the inquiry he now proposed; but until such an occasion should occur, he hardly could conceive the house would be disposed to comply with the honourable gentleman's wishes for such an inquiry, until some just ground should appear to impeach the conduct of the commissioners.

Mr. Robson rose with much emotion to reply, and said, that if his eyes did not convince him to the contrary, he should have conceived the answer of the noble lord to have come from the ghost of the deceased minister whose place he now filled; for it was an answer, word for word with the objection made by that minister four years ago, to the motion which he had made for inquiring upon the same subject, and he had in his pocket the Parliamentary Register to prove the fact. But, notwithstanding the disappointment he felt at such an answer coming from the noble lord, as one of his majesty's present ministers, he should persist, aye, inexorably persist, with the leave of the house, in his determined purpose of instituting the inquiry: it could not interfere with the business of the military commissioners. But was he to be told, that the house of commons had, in any case, abandoned its inquisitorial authority, and delegated it to any board of commissioners, so as to preclude itself from investigation upon any similar subject it might think necessary? Those military commissioners had now been sitting almost a year, and what had they produced? Why, nothing but this report upon the table; and this report, notwithstanding the enormous, corrupt, and profligate profusion it had exposed, had now lain nearly six weeks upon the table of the house; and he took shame to himself, as a member of that house, to say, that not the slightest notice had been taken of it to that day by any member of parliament. Was he to be told that the house of commons, apprised as it was of such an enormous and wasteful profusion of the public money, was to delegate its privilege of inquiry to any commissioners of barracks, or commissionners of accounts, or commissioners of any sort, military or civil; and then wait a year or two until those commissioners should think fit to report their opinions? He would admit no such argument. What did he sit in that house for, but as a guardian of the public purse? What was the duty of the house of commons, but to watch over and control the public expenditure? Was he, then, as a member of parliament, to be denied the right of calling for papers, to inform himself, and that house, upon the subject of public expenditure, in order to institute inquiry, if necessary, or to aid the commissioners already appointed? He never would submit to it, as a member of that house: he never would listen to such an argument, as that parliament was bound to wait, year after year, upon the slow progress of a board of commissioners, before they could proceed to the prompt steps necessary on any prominent or enormous instance of profusion or peculation. What had he said before? but that 275 accounts on army affairs were then before the commissioners, not yet entered upon. Let not the house be told, then, that this subject was before commissioners of inquiry, who might sit year after year, before the result of their inquiries was known, while the house was, in the mean time,

called upon to vote, year after year, new and enormous supplies, without inquiring how the past had been expended. The house, without the grossest dereliction of its duty, could not any longer persist in such mode of proceeding. How long, he would ask the noble lord, had this account of the barrack department been bandied about from one office to another for investigation without effect? First, it was sent to the treasury; from thence it was referred to the auditor of public accounts; then it was sent to the secretary at war; and, at last, the system blew itself up, and corruption and venality had wrought their own reform. But the fact not to be denied was, as he had said four years ago, that the expenditure in the barrack department had grown to an enormous amount, and assumed the merit of every bad and indignant name that could be given to it. Why had not parliament done its duty, and prevented the progress in time? The purpose he had in view was, to examine the old accounts, in order to prevent similar profusion from happening in the new. He wished also to procure the protection and justice of parliament for many of those persons who had the misfortune to give credit to a considerable amount to the barrack department, whose accounts now remained five years unsettled, and who might be driven to ruin and beggary while waiting the tardy investigation of the military commissioners. He did not mean to charge any individual with a criminal misapplication of the public money: he merely wished to do justice, and ascertain where the fault lay; and he believed the barrack-master general would turn out to have been a very ill-used man, in the delay of settling his accounts. The question was at length put upon Mr. Robson's first motion, and agreed to.

In the house of peers on the 20th of May the order of the day being read, for the second reading of the additional force act repeal bill,

Earl Spencer rose and observed, that if there were no other ground upon which to justify a call upon their lordships to pass the present bill, than the experience of twenty-two months, which proved the utter inefficiency of the measure, for the repeal of which the present bill was introduced, that alone would have been a sufficient reason in his mind, why the house should, without further discussion, agree to the second reading, which he now rose to move. After the usual mode of recruiting had been carried on with the utmost exertion, for increasing our army to its necessary strength, it was still found requisite to suggest some other modes than those already employed for that purpose, and with this view the army of reserve bill was adopted. But after that had been tried to its utmost extent, without being productive in the degree expected, the measure of the additional force bill was then propounded, as one which was to obviate all the inconveniences arising from the army of reserve bill, and all the other modes of recruiting then in operation; and to supply all these defects by immediately procuring the number of men necessary. This was the object avowed by those who brought forward the additional force act; but, as he had then predicted, it had utterly failed, and turned out to be a measure, not for raising men but money. His lordship entered into a minute detail of extracts from the documents on the table,

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in support of his opinion, and showed the progressive deficiency of men, and growth of penalties, in successive periods; and he observed, that having in fact completely failed in effect under its natural operation, when it did become under recent and extraordinary exertions in any degree productive, it was rendered only so by a violation of its own principles, viz. by the employing crimps, by recruiting out of the limited districts, and by offering bounties considerably higher than the regimental recruiting officers, and thereby not only creating a rivalry in bounties with the regular service, but impeding the business of recruiting. He trusted it would not be thought too much for him to ask, that this obnoxious and unproductive measure might be removed out of the way of the recruiting service, to which it had been an impediment.

Earl Camden admitted that the bill had not been so productive as was originally expected; yet it certainly had been, in a great degree, much more so upon a comparative scale than his noble friend had seemed disposed to allow. He was not however so wedded to the bill, as to insist upon retaining it at all events; but still he thought it would behove their lordships to pause before they consented to repeal a bill which had been productive of considerable advantage, until at least they saw some measure proposed as a substitute to it. The noble lord went into a short series of comparative calculations, to show that the bill, even under all the objections made to it, had not been so unproductive as had been represented. He wished to give his majesty's ministers time to prepare such a measure as was fit to be substituted in its place; and he concluded by moving, that instead of the word "now," in the motion of his noble friend, for the second reading of the repeal bill, the words "this day three weeks" be inserted.

Lord St. John thought the best substitute for the act would be to repeal it, and to leave the recruiting service to act freely and without impediment. He contended that the act had in its operation been found totally inefficient, and that it was absurd to suppose that parish officers should be converted into recruiting officers with any beneficial effect. The act, he asserted, had been invariably found either nugatory or oppressive in its operation, without producing any benefit whatever to the army, but, on the contrary, impeding and embarrassing the recruiting service, and therefore he should support its repeal.

The earl of Westmorland considered the present measure as connected with others which it was intended to propose, and the stating of which had spread alarm through the country. He conceived that some measure was absolutely necessary to enable us expeditiously to recruit the army at the commencement of a war, so as to attack with effect the possessions of the enemy, or at least to place ourselves in a proper state of defence. The want of some such measure had been felt repeatedly by this country at the commencement of wars. At the beginning of the present war we were, with respect to the army, in a miserably unprovided state. It was then found necessary to raise a large force by means of a ballot; a large force was raised, and the ballot continued to operate until it was found that, in a great measure, it defeated itself, in consequence of the high price paid for substitutes.

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After this the act was brought in, which it was now proposed to repeal, but which had not had full time allowed for its operation. He called upon a noble lord opposite, who had formerly opposed the repeal of this act, on the ground that it ought to have a fair trial, now also to oppose it on the same ground, as the act had not yet been sufficiently tried: it had now begun to be efficient, and this was the period chosen to propose the repeal of it, without proposing any substitute.

Lord Sidmouth delivered an animated speech, in which he justified his own conduct, and declared himself an advocate for the repeal of the bill. His lordship was followed by several other noble lords; when the bill was read a second time. And on the 22d it was read a third time, and passed.

CHAPTER VI.

Debates on Lord Henry Petty's Motion on the Public Accounts, and West India Abuses—Mr. Fox's Motion for the Abolition of the Slave Trade—Lord Grenville's Motion on the Abolition of the Slave Trade—Lord Henry Petty's Motion for auditing the Public Accounts—Lord Henry Petty's Motion on the Subject of Vaccine Inoculation.

THE subjects most interesting in the following chapter, are, the motions made in the house of commons on the public unaudited accounts, and the motions made by Mr. Fox and lord Grenville, in the different houses, on the abolition of the slave trade. This subject will be renewed in the next volume; in which will be recorded the account of the abolition of that abominable traffic, so honourable to the British legislature, and to every individual who embarked in this cause of humanity.

Lord Henry Petty on the 21st of May, pursuant to his notice given upon a former day, of a motion for instituting a new commission of inquiry into the system of military expenditure in the West India islands, rose now for the purpose of bringing it forward. In calling the attention of the house to this subject, he should feel it necessary to advert to the modes by which the public accounts were heretofore examined and controlled. Previous to the establishment of the board of commissioners for this purpose, instituted under the auspices of a late right honourable gentleman whom he had succeeded, the important office of examining and auditing the public accounts of the receipt and expenditure of the nation was vested in two officers of the crown, and so continued down to the year 1785. But those officers, like many others, were charged with duties so far beyond the reach of their exertions, and vested with powers so inadequate, that although their services were not to be deemed as entirely useless, they were certainly very inefficient. The noble persons who had then, for some time, held those official situations (lord Bute and lord Sondes), although they remembered tolerably well that there were salaries to be received, yet, in process of time, forgot that there were also duties

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to be performed; and though they never omitted regularly to receive the salaries attached to their situations, their official lassitude sunk at last into a total neglect of those duties. The consequence was, that, the business being now much in arrear, the accounts, which accumulated during the progress of the American war, became so complicated, and expanded to such an extent, as to impress strongly upon the minds of the legislature and the public the necessity of some more efficient plan of investigation. Foremost to participate in this feeling, the late right honourable gentleman, then at the head of the finances, formed the project of instituting commissioners to inquire into the public accounts; and he therefore brought in this bill to suppress the offices of joint auditors held by the two noble persons before alluded to, and to institute a new board of commissioners of accounts. But notwithstanding the herculean labours encountered by the gentlemen who composed that board, and notwithstanding the immense mass of public accounts through which they waded; yet under the various vicissitudes in which the country had been since involved, such an arrear of unexamined expenditure had accumulated, as to render it absolutely necessary that some system of examination should be instituted, to draw the national accounts out of the confusion in which they now stood, and, if possible, to bring up the arrear which had been so long growing, and had at length arrived at a magnitude scarcely credible. Besides the five commissioners of accounts who were appointed under the bill to which he alluded, two other commissioners, totally distinct, were appointed to investigate the military accounts; but here again accumulation had so completely outstripped research and industry, that the principal share of the arrears had occurred under that head. But though it had appeared, that, under the plan instituted by a late right honourable gentleman, an endeavour was made to establish a control over the army expenditure, under the authority of persons appointed for that purpose, yet the effect of that authority had, in a great degree, ceased; the persons intrusted with the duty very seldom reported the abuses which had accrued; and at length their authority fell so much into lassitude and negligence, that large issues of public money had been made for the service of the army, from time to time, which ought to have been submitted to them, according to the original rules of their institution, but of which they had no cognizance whatever. He alluded to sums issued for hospital stores and field works, which always form a very extensive branch of the military disbursements, and for which, during six successive years in the late war, a sum of not less than 700,000*l.* annually was paid to a Mr. Trotter; and such were the zeal and industry of that ingenious gentleman, and such the variety of avocations in which he was desirous of distinguishing himself for the service of the public, that he was at one and the same time the manufacturer of some of the articles of stores, the purveyor of other articles, the contractor for others, the comptroller of the expenditure, and finally the auditor of his own accounts: besides, generously feeling that after so much zeal and industry exerted for the accommodation

dation of the country in his own person, he was entitled to some remuneration beyond the ordinary class of contractors, he charges ten per cent. upon the whole expenditure, over and above all other profits upon the articles so furnished! ! ! Another head of account was that of barracks, in itself an immense field of expenditure, and on which no less than nine millions had been expended in the course of the late war, no part of which had been submitted to the cognizance of comptrollers; and though the military commissioners had it in charge to investigate this department, yet so embarrassed were they in their proceedings by the complicated mass of other accounts through which they had to struggle, that no part of the proceedings of the barrack department had yet been looked into. It was found also, that by the principal persons in several departments, many large sums had been issued to clerks and inferior persons in office for minor disbursements, of the expenditure of which no account had been passed for years, nor any regular communication made to the chief officer. Such a state of accumulation in the unchecked accounts called loudly for the immediate adoption of some remedy; and the more so, as already at two different times thirty-five assistant clerks had been added to the establishment of the commissioners of accounts, without attaining the end so much desired; and therefore partial remedies must now give place to a system more extensive and efficient. Not only in the expenditure at home and in Europe had these arrears accumulated, but in the West Indies also, where the abuses were so glaring, that in 1800 it was found necessary to send commissioners thither for the purpose of investigation: but even then nothing effectual had been done, though the most enormous abuses were found to have prevailed. Last year an attempt was made to remedy the evil, by the appointment of new commissioners, by whom, though certainly much had been done, still not enough was done; for though much had escaped the inquiry of the old board, yet instead of fetching up the arrears, the new commissioners were plunged still deeper in accumulation, and most enormous sums remained still uninvestigated. What idea must the house feel of the state of accounts, under the head of pay to the army, when they should be informed, that the very last account of army pay, examined by the board of account, was for 1782, and that no account of that nature had been since audited; being a period of twenty-four years from the close of the American war. The navy accounts were also very greatly in arrear, and the store accounts lay over since the period just mentioned, without any examination; all the expenses of the last war were in the same predicament. The account of the expeditions to the Helder and to Egypt, and all the charges connected with them, as well as all subsidiary accounts with continental powers, were totally untouched to this hour. There were, beside, accounts under the examination of the old commissioners, to the amount of 167 millions, not nearly gone through, besides a sum of 58 millions, of which the account had not yet been explained. Add to this a sum of 150 millions, under the head of army pay, still untouched, as well as 80 millions of navy expenditure,

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and there would appear an aggregate sum of no less than 455 millions sterling still unaccounted for, within the last twenty years, a sum greater than the whole national debt. These considerations, important and impressive as they were, had already called for the most serious investigation of his majesty's present ministers, and irresistibly argued the pressing necessity of a full investigation. Having gone through his statements, the noble lord next proceeded to submit the outline of a remedy for these glaring evils: in the first place, he said it was proposed to repeal both the act under which the present commissioners of accounts were constituted, and to appoint, under another act, ten commissioners, for the purpose of auditing and controlling the army accounts; and, the better to enable them to direct their investigations with effect, it was proposed to arm them with the authority, which the present commissioners had not, of compelling all persons, connected with the disbursements of public money, to furnish their accounts; these to be distinct from the West India commissioners, and also of another distinct board of comptrollers of military expenditure, constituted upon a plan similar to that established under lord Godolphin, whose duty it would be to examine, in the first instance, all army estimates and accounts; to watch over the expenditure of military funds; to act as the confidential advisers of the board of treasury, in all applications of money for military purposes; to report such frauds as they should be able to discover; to have the power of calling before them all persons in any degree connected with the military expenditure, and of examining them upon oath. With respect to the ten commissioners of accounts, none of whom were to be members of parliament, it was proposed to separate them into three distinct boards, the one consisting of four members, and the other two of three members each; those boards to have communication with each other, as they might find necessary for the general advantage of the examinations referred to them; but by no means to mix the objects respectively committed to them. The whole body of accounts in arrear was to be separated into three distinct periods. One of these boards to commence with the public accounts from the first of December last, and to bring them up clear to the latest period; the next board to take up the investigation of the 167 millions now under inquiry; and the third to take up the examination of all that body of other accounts that had never yet been called for. By this means, he trusted that the whole of that immense mass would be gone through with the utmost possible expedition, and the affairs of the country in these respects placed upon some regular and satisfactory footing. To the chief of each board, a responsibility would be attached for the correctness of each account audited; for the want of which responsibility in the members of other boards, considerable disadvantages had arisen to the country. Having now stated the measure which it was the intention of his majesty's government to adopt, with regard to the general accounts of the country, the noble lord proceeded to some observations upon the state of expenditure in the West Indies, the further investigation of which was the object of the motion of which he had given notice as for that day. In that quarter

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of the empire, notwithstanding all the exertions which had been made by the two successive boards of commissioners already appointed to examine and check the progress of profusion and fraud, still the system had continued to be carried on by the delinquents under every species of crime that could be subservient to their purpose. Forgery, perjury, bribery, and every stratagem which fraud could devise, had been resorted to; and not content with false charges, false returns, and flagitious embezzlements, they had gone so far as to bribe the officers of his majesty's customs to sign false certificates, fraudulent invoices, and other such documents in aid of their purposes; proofs of which had been detected in one instance, to the amount of no less a sum than 80,000*l.*, and in another to the amount of 30,000*l.* actually applied in bribery, to conceal frauds of an enormous extent. The noble lord concluded by moving for "leave to bring in a bill for the more effectual examination of public accounts in the West Indies, and the prevention of fraud therein."

Mr. Rose said, that the arrear of business began before the American war, and had been increasing ever since. The commissioners appointed for auditing the accounts, perhaps, had not discharged their duty with that attention which they ought; but still it did not occur to the administration of that day, that it was necessary to change entirely the system of auditing them. It was certainly true, that the two auditors which the noble lord first spoke of, took very little trouble in the business, and left it all to their deputies; but after the commissioners were appointed for auditing the public accounts, he saw no reason why the comptrollers of the army, who had first examined the accounts, should not be admitted as members of the commission for auditing them. Their knowledge of the business must expedite the proceedings considerably. The noble lord had stated the various situations Mr. Trotter stood in, and rather jocosely mentioned, that there was nobody to examine or audit his accounts but himself. If that was the case, his right honourable friend on his right hand (Mr. Windham) was much to blame; for it was his duty, when secretary at war, to have had these accounts properly examined. Of the five hundred millions that the noble lord stated to be unaccounted for, one half was in the pay-office, and the real stoppage in the examination of those accounts was at the war-office. There were 35 or 40 clerks there, whose business it was to examine the accounts. Three commissioners had already been appointed for the auditing of the public accounts. The noble lord now proposed to add three more; but if he were to add three-and-twenty, he should not oppose it, as long as the business was likely to be done. The barrack accounts, he hoped, would be examined and audited, as well as the rest of the public accounts. Although he thus stated, that half of the deficiency in accounts was chargeable to the war office generally, he did not mean to impute blame to any secretary at war, but supposed the great delay proceeded merely from the increasing pressure of business.

After several other speakers had delivered their opinions, the question was put, and leave given to bring in the bill. On the next day Mr. Rose gave notice of a motion on the subject, declaring that no

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man was more desirous than himself, that the matter should be probed to the bottom:—that the inquiry should proceed with the strictest scrutiny; and if any circumstances of delinquency should appear, let the parties implicated be whom they might, it was his earnest wish that, without favour or affection, they might be dragged into public notice, and punished with a severity adequate to their guilt.—On the 23d the same gentleman adverted to the statement made by lord Henry Petty, which he had represented in such a light as must tend to destroy all confidence in any government whatever. He said that accounts to about four hundred and fifty millions had been left unpassed. He (Mr. Rose) had examined into the case, and the result was, that fifty millions belonged to the barrack accounts, and two hundred and twenty millions to the pay-office; now, considering who were the persons in that office for some years past, he hoped that it could not be readily supposed that there was any remarkable error there. The only instance of error was in a sum of twenty-two thousand pounds, for which the persons concerned were prosecuted, and one of them severely punished. The fault, however, was not in the pay-office, but in the war-office, as he had before stated. The accounts for so many years back were not at this moment transmitted to the pay-office, though he did not mean to blame any particular person. The next sum was in the navy-office, amounting to ninety millions. That matter rested with the commissioners of the navy—they carried their accounts to the auditors, but that was a matter of form. The next sum was forty-five millions in the seal-office, which ought to have been audited there; and all these, with another sum of twenty-four millions which had not come to the auditors, formed a total of four hundred and twenty-nine millions out of the four hundred and fifty to which his lordship had alluded. He contended that, in the expenditure of these four hundred and twenty-nine millions, no abuse could possibly have existed. He admitted they were not audited; he did not deny this; but he said that no part of the sum had been lost to the public. He again adverted to the war-office, which was in the habit of issuing about ten millions a-year, without having its accounts examined. The noble lord seemed to have introduced many of his statements for the purpose of stage effect, as he was not warranted in some of them. He mentioned the case of Trotter, into whose affair he had inquired. The noble lord had stated that he had supplied stores to the amount of seven hundred thousand pounds, for which he accounted to nobody. The fact was, that this had been done in consequence of an arrangement of a secretary at war, in order to save a great deal of expense. Trotter was by this to give in a statement of the expenses of the materials and the labour, and was allowed a profit of ten per cent. on the whole, and for his trouble in taking care of these stores in one hundred and nine depôts. He said again, that his only desire was to have this subject fairly examined, and concluded by moving, "That a return should be made of all the sums issued from the exchequer to the principal accountants, and by them to the sub-accountants, at present outstanding, showing those that had been delivered

vered in, those under examination, the progress that had been made, and the balances due to the public."

Lord Henry Petty declared, that in what fell from him on the former night, he had no intention to convey insinuations against any of the persons formerly at the head of the departments. But if, in making such observations as his duty called forth on measures in which the right honourable gentleman was a party, he had only failed to please the right honourable gentleman, he did not feel so anxious to make any apology. The right honourable gentleman had said, that no very considerable part of any arrears would be lost to the public. He himself had stated that he hoped that would be the case. But would the right honourable gentleman venture to say, that it was no loss to the public that the accounts of the barrack department, of the public stores to an immense amount, of the expedition to the Helder, of the expedition to Egypt, and of our whole foreign subsidiary system during the last war, had never been audited; all of which had taken place while the right honourable gentleman himself was at the treasury board? This being the fact, the house must agree with him in thinking that, though great part of the sums granted for these services might be properly laid out, there was every possibility of great frauds having been committed. The right honourable gentleman had accused him of not dealing fairly by Mr. Trotter. He had only stated the circumstances in which that gentleman stood. But did he impute any blame to him? No. If, however, he had omitted it on the former day, he should now ask, if the right honourable gentleman thought it proper that the same person should be the purveyor, manufacturer, and store-keeper for government, and at the same time the auditor of his own accounts? Did the right honourable gentleman mean to say, that ten per cent. was all that Mr. Trotter had on these furnishings? He had, besides, an additional five per cent. for credit, and another five per cent. for incidental charges, making a total of twenty pounds per cent. He had not said, however, that Mr. Trotter was to blame in this; probably he might have been right to have got fifty per cent. if he could. In 1801 suspicions being entertained as to the correctness of his charge, a charge at prime cost was demanded; when it was found that these were his additional charges. He then reduced the ten per cent. charges to five per cent.; the extra charge from five to two and a half per cent.; and the other five per cent. for interest he gave up entirely; so that he then began to find the same articles for seven and a half per cent.; which during the whole of the war he had charged at no less than twenty per cent. He felt much obliged to the right honourable gentleman for moving for these papers, or any others which could throw additional light on the subject. He must state that it would take a very considerable time before the papers could be produced, a delay which would principally arise from the state of the accounts themselves. He had therefore made the necessary inquiry as to what papers could be produced this session; and after the honourable gentleman's motion should be assented to, he should move for the production of such papers. Part of his plan he might thus

thus be obliged to postpone till next session, keeping in view, however, the necessity of the immediate adoption of that part of it which regarded the balancing of the accounts every year, in the same manner with mercantile houses. Any delay, however, he assured the house should proceed, not from an idea of abandoning the plan, but from a wish and expectation of being able to bring it to greater perfection.

After a debate in which several members took a part, the motion was put and carried. Lord Henry Petty then moved for a variety of lists of accounts not yet delivered by accountants, nor proceeded upon in the office of the commissioners of audit; which were ordered accordingly.

On the 10th of June Mr. secretary Fox rose, agreeably to notice, to submit to the house a resolution declaratory of their sense of the injustice, inhumanity, and impolicy, of the slave trade. Before, however, he went into any statement of the grounds on which he with confidence looked for the almost unanimous countenance of the house in this measure, he felt himself called on to state in a few words, his own apology for being the person by whom such a motion should be made. This subject had been repeatedly brought forward, year after year, for the last sixteen or seventeen years, by a respectable member of that house, than whom no man, either from his talents, eloquence, zeal in the cause, or from the estimation in which he was held in that house, or in the country, could be better qualified for the task. In such hands he had found the business, and there he would willingly have left it. His own opinion was, that it would have been better that this honourable friend of his had made the present motion, or such other motion as he would have wished on the subject, as to which he could not have doubted that he should have had the support of him (Mr. Fox) and his friends. A strong opinion, however, had prevailed with his honourable friend, and with those with whom he was connected, that, all circumstances considered, it would be better that the business should originate with him (Mr. Fox.) He had yielded his own opinion on this subject to that of his honourable friend, and those who acted with him; and, however certain persons might be inclined to consider and to represent it as a fanciful theory, he had no hesitation in declaring, that he should esteem his political life of thirty or forty years well spent, if he should be so fortunate as to compass the end to which his present motion was directed. He could not, at the outset of the business, help observing that he was happy to say, that whatever difficulties had occurred in that house, with respect to the abolition of the slave trade, the opinion of the house, he should not say unanimous, but as nearly so as well could be recorded by resolutions of the house itself, was, that the slave trade was contrary to justice, humanity, and sound policy. As had been well remarked by a great man, now no more, but whose opinions, wherever justice or any moral feeling was interested, would long be remembered with pride and veneration, (Mr. Burke,) it was not a traffic in the labour of man, but in man himself, and was calculated to keep down and debase humanity. He should not enter into the arguments adduced

by some gentlemen who had supported the trade, who alleged that the crime (if crime it was) was not imputable to those who embarked in the trade from this country; that the persons whom they carried off were slaves before, condemned as such on account of offences committed by them. Such argument, he said, was only adding hypocrisy to the lust of gain, and attempting to vindicate what was contrary to nature. Supposing the persons alluded to to have been legally rendered slaves, was the British government to sanction, and British ships and seamen to conduct, the police of African monarchs? Such an idea, he submitted, was only one of the many instances, how far the lust of gain could pervert human reason. The house having been uniformly of opinion, and having so often declared that opinion, that the trade should be abolished; and yet having taken no step to that effect for the last fifteen years, he presumed, would think itself called on, if from no other motive, from respect to its own character and reputation, now to do something to effect what had so often been declared to be its opinion. If he recollected well, the period when the question of the abolition was first agitated, was the year 1791. In the commencement of the year 1792, it was much considered through the country, where it excited warm feelings among the great bulk of the people. It was tried in that house, and the question for the gradual abolition was carried. The question as to the period was then put, that it be abolished in one year, then in two years, both of which were rejected, but the proposition for abolishing it in the third year was adopted. At that time the greatest enemy to the abolition did not wish to postpone the measure beyond the year 1800. Yet now we were in the year 1806, and no step towards this just, humane, and politic measure, as the house declared it, had been adopted. In this situation, had not the country and the civilized world to reproach them with their conduct, in allowing matters to come to a situation much more remote than even the enemies of the abolition had calculated on? Denmark had fixed on that year as the period when they should abolish the trade, and they had been made the subject of ridicule among us for the great distance to which they had postponed it. How far they had given cause for such ridicule on our part, he should not say. They had already abolished the trade, at least among their own subjects; and they had shown, if they could not among others, they could at least prevent the commission of crimes and infamy among themselves. He had at one time hoped that a bill for the total abolition of the slave trade might have passed through both houses of parliament, and have received the royal assent this session. A number of circumstances, however, rendered any such expectation highly improbable. It might, indeed, pass this house; but if introduced into the house of lords at such a period of the session, they would have, not a pretence, but a fair reason for saying that they could not carry it through. What alternative then remained, but either to pass by in total silence a measure which for the last seventeen or eighteen years had every year occupied the attention of the house, or to adopt the plan he now proposed—to pledge the house to the

abolition of the trade, not at a given period, but at an early period? For this purpose, his proposition should be to leave two things open—the mode and the time. He should, however, state, that for his own part, after having considered the subject, for the last eighteen years, with every possible attention, he could conceive no practical mode of effecting the abolition but by a direct law. As to the time, in the same way as happened in the year 1792, there might be many opinions on this subject. Some might think the first of January next the proper period; others, one more remote. To all persons of this description he left the period of time at which the abolition should take place, open; but declaring, at the same time, that it was impossible that any thing could shake him in the opinion of the necessity of an immediate abolition. The different proceedings held in the course of the motions for abolition of the slave trade were then read; and Mr. Fox concluded by moving a resolution, that the house, conceiving the African slave trade to be contrary to justice, humanity, and sound policy, will, as early as possible, take such effectual measures for its abolition as may seem to them to be the most proper.

Sir Ralph Milbank had been uniformly of opinion that the slave trade was a ruinous and destructive traffic; that it was contrary to every principle of sound policy, justice, and humanity, as had been stated by the honourable secretary in a much more able manner than he could do. He was happy to say that the majority of his constituents concurred with him in these sentiments. He was persuaded that the cultivation of the colonies could be very well carried on without any fresh importation of slaves, and concluded by seconding the motion.

General Tarleton felt some astonishment at the manner in which, and the time when, the right honourable gentleman had thought proper to bring forward this resolution. It was wholly uncalled for by any part of the country, and introduced seemingly for no other purpose than to show that he had the power to carry his point. The house had certainly expressed sentiments inimical to the trade, and favourable to its abolition; which, however, it had never thought proper to follow up by any efficient measure. But the former resolutions were brought forward in periods of profound peace, when they were not pregnant with any such danger as at present, when the country was involved in an arduous war, and plunged in a situation more critical than at any former period of its history. Why the right honourable gentleman should have chosen such a moment for bringing forward the motion, was to him most astonishing, nor could he account for it upon any other principle than that of gratifying, for certain political purposes, the inclinations of an honourable member below him (Mr. Wilberforce), who was so extremely zealous upon this subject, that he never could hear the slave trade mentioned without starting as if he saw a ghost, and exclaiming "Abolition! abolition!" It was therefore most probable, that the right honourable gentleman had a view to cultivate a new coalition in that house for the remainder of the session. But before the house should proceed to adopt the resolution now

proposed, he felt it his duty to call their attention to the situation of Liverpool—a town which, from a miserable fishing hamlet of about 150 huts, had within a century risen to be the second town, in point of commercial wealth and consequence, in the British dominions, entirely by the African trade. He begged to impress on the recollection of the house what the situation of Liverpool was, when the right honourable gentleman and his colleagues came into power. It was eminent for the prosperity of its commerce, its wealth, its loyalty—for the important aid it furnished to the British marine, by affording at all times a numerous supply of seamen, through its African and West Indian trade. It was equally distinguished for its spirit, in fitting out private ships of war, and by contributing annually three millions sterling in revenue to the public purse. But what measures of advantage had Liverpool experienced since the present ministers came into power? Why, the restriction bill upon the African trade, by which the enterprising spirit of its merchants was paralysed, their trade diminished, the value of their shipping considerably reduced, and disputes excited between them and the planters. But if the mercantile interests of the country were to be thus crushed—if that commerce, which yielded so great a portion of the public revenue, was to be impoverished—what must be the natural consequence? But one of two alternatives; either the minister must resort to the landed interest entirely for the supplies necessary to carry on the war, or he must be driven to an ignominious peace. If the right honourable gentleman seriously meant to proceed with the proposed measure, he could only say, that his constituents would feel themselves justified in coming forward in the most respectful manner, to solicit from parliament, that to which they would conceive themselves justly entitled; namely, compensation for the losses they would sustain, in consequence of a measure that would deprive them of a trade which they had followed from the time of queen Elizabeth, under the sanction of parliamentary protection. The necessary consequence of the measure must be bankruptcies without number; the emigration of useful artisans, with their capitals, to America, and the loss to this country for ever of many useful artificers.

Mr. Francis said, the honourable gentleman's constituents would certainly be at liberty to come to that house for compensation, in case the slave trade should be abolished; but he did not know that he should consent to take the money out of his own pocket, or that of the public, for compensating men for the abolition of an iniquitous traffic, so contrary to every principle of humanity. He should regard such petitions, as he did others from different parts of the country, inveighing vehemently against measures in contemplation which the petitioners conceived to be ruinous, but which they afterwards found to be the very reverse. The house already stood pledged, by a resolution of the 16th of May, 1792, to the abolition of the slave trade at a definite time, and yet this resolution had never been acted upon; he could not therefore see the use of the house again pledging itself to a similar resolution for a distant day, which would pass for nothing with the

the public, unless something were done immediately.

Lord Castlereagh opposed the resolution, because it pledged the house generally to a resolution, for a purpose wholly indefinite as to time and mode. If, in point of fact, the trade could be abolished at once, why not do it immediately, instead of proposing a resolution in general terms upon the subject, which, in its present form, was wholly unintelligible? The house had formerly come to a definite resolution, which had never been followed up; and why? Obviously because it was found impracticable to realize the theories of those who led the house into that resolution. With respect to the principle of the slave trade, no man more sincerely wished than he did, that it were practicable now, or at any proximate period, to remove a grievance so calamitous, from the lot of humanity. As to effecting any thing like a general abolition of this traffic, he really feared it was not to be accomplished by parliament; for were the most peremptory bill that could be shaped, to pass that night upon the subject, to preclude all British ships and capitals from being employed in the African trade, even for the supply of our own colonies, he did not see any other purpose such a bill would answer, than to involve us in disputes with those colonies, and to risk their ultimate loss, by forcing them to resort to other nations, who would certainly take up the trade as a source of wealth, the moment it was relinquished by this country.

The solicitor general rose to state shortly his sentiments. He should have much more cordially supported a motion for leave to bring in a bill for the immediate abolition of this abominable traffic: yet still, he thought the motion ought to be supported, as pledging the house to take the most speedy and practicable means to abolish it. Surely, if it were the sense of the house to adopt, in the present session, any measure more prompt and efficient for the purpose, this resolution would oppose no impediment to a purpose so desirable. It was not his wish, at this moment, to enter into a general discussion upon the slave trade; for what could there be offered to the house in vindication of a commerce so detestable, but arguments already refuted, and assertions long since disproved? It was hardly fair to say the house had not done any thing in pursuance of its former resolution; for in the session before last it had passed a bill for the purpose, which was rejected in the other house of parliament, and another was brought in last session, which miscarried owing to the accident of a thin house, and a concerted plan to defeat the measure. He knew well that sometimes corrupt systems were long continued in nations that had not courage to inquire into them; but that was not the case in this country with respect to this system, because there had been no want of courage to inquire into it; and after the opinion expressed by the committee, who in 1792 had investigated the subject with the most patient deliberation—whose opinions, and the evidence upon which they were founded, stand recorded on the journals of the house—and who solemnly declared, that this most atrocious traffic had been, and continued to be, carried on in the most wanton and barbarous manner, could any argument be necessary now to prove the propriety of its abolition? Or could the

house feel the necessity of longer delay, when they were told, that since the adoption of those resolutions to abolish this infamous trade, no less than 360,000 wretched individuals had been torn from the coast of Africa, in consequence of war and violence, fomented for the purpose of seizing and consigning them to slavery in the West Indies?

General Gascoyne considered the present discussion as pregnant with dangerous consequences to our West India colonies, as exciting there the most dangerous expectations in the minds of the negroes. He also considered the present period, when our manufactories and commerce so loudly called for every encouragement, as peculiarly unfit for the agitation of the present question. When was the export of our manufactures more restrained, or when was it more difficult to raise the necessary supplies? Yet, labouring under such manifold difficulties, we were now called upon to do that which the house had lately rejected, and pledge ourselves to the adoption of a measure, that would weaken and derange the whole of our colonial system, and would materially impair the sources of our revenue and commerce. Besides, he was not convinced that this country could legislate for the colonies, or had a right to impose any prohibitions with regard to the importation of slaves, more than they were entitled to impose taxes on the colonies. The learned gentleman who preceded him had applied every epithet of murder, rapine, and robbery to the slave trade, and every kind of invective had been familiar to his mouth. But, in his opinion, slavery had been sanctioned by the regulations of the wisest and most pious legislators. In proof of this, he quoted several verses from the twenty-fifth chapter of Leviticus, from which he contended that the practice was countenanced by the Jewish lawgiver. But should the slave trade be abolished, he contended that indemnification should be given to those who had embarked their property in the trade under the faith of legislative sanction, and that, unless this were done, the house would be guilty of similar injustice to that which it reprobated in the trade itself.

Mr. Wilberforce said, it was the glory of our religion, that it not only forbade all those odious means by which slaves were procured, but expressly prohibited the practice of man-stealing, and called us to act on a principle of universal philanthropy, and kind good-will to all men. But he should ever deprecate the introduction of such appeals to sacred authority into that house, as tending rather to ridicule than to any satisfactory result. He should have heard with pleasure the declarations of his noble friend, respecting the radical injustice of the traffic, had he not at the same time seemed to oppose every method that had been proposed for its abolition, and had not his speech been uniformly applauded by those who were friendly to the trade. They were perfectly willing to permit the trade to be railed at, while, in fact, it received their most effectual support. He himself had derived pleasure from the reflection, that the measures he had brought forward at different times on this subject had been supported by almost all the ablest men on both sides of the house, who had seldom agreed on any great measure of policy.

policy. If he had erred, he had erred with great authorities. But his noble friend, while he reprobated the principle of the slave trade, had obtained the support of those only who were friends to that traffic. The noble lord had proposed to accomplish the gradual abolition of the trade, by means of duties on the importation of slaves. But this would only tend to increase the price of slaves; and surely the co-operation of the colonies, which was so little to be expected, would in this way become more necessary than in any other method that could be devised. No measures, he contended, were to be expected from the colonies even for the gradual abolition of slavery. They had declared, that whatever steps might be taken for meliorating the condition of slaves, these were in no degree to be considered as adopted with a view to the abolition of slavery, the perpetual enforcement of which they regarded as their birth-right, of which they should never be deprived. Even this language was more agreeable to him than the professions of others, who, while they pretended to wish for the abolition of slavery, yet effectually impeded it by every means in their power. It had been said that there must be something impracticable in the measure, since from the year 1792, when it had received the sanction of parliament, nothing effectual had been done for its accomplishment. Parliament had at that period been actuated by an ardent feeling, which had been almost universal in the country. But it was to be regretted, that the feelings of benevolence were too apt to be evanescent, while interest was a cool and calculating principle; and the feelings of interest had gradually overpowered the dictates of philanthropy and the compunctions of humanity. He should have preferred the immediate introduction of a bill for the abolition of the slave trade; but he had submitted to the judgment of those who thought that, at the present advanced period of the session, there was little probability of its receiving the concurrence of parliament. On the whole, he conjured the house to recollect, that providence had never connected the happiness and prosperity of any country with injustice; and that, whatever apparent prosperity the slave trade might produce, it would ultimately be found rotten to the core.

Several other gentlemen spoke; when the question was put, and carried by a majority of 99, 114 being for it and only 15 against it.

Mr. Fox then moved, that a conference be desired with the lords on a subject that is particularly connected with the honour and humanity of the nation. This being carried *nem con.*, Mr. Wilberforce moved that an humble address be presented to his majesty, beseeching him that he may be graciously pleased to adopt such measures as to him may seem meet, to induce America and the powers of Europe to unite with this country in a resolution to abolish the trade in slaves. This was carried unanimously.

The same subject was introduced into the house of lords on the 24th of June; when a short conversation took place between the earl of Westmoreland and lord Grenville relative to the propriety of hearing counsel, on a petition presented on a former day by the noble earl, against the abolition of the slave trade. Lord Grenville objected

to hearing counsel; and no motion being made by the earl of Westmoreland, his lordship moved the order of the day for taking into consideration the resolution of the house of commons relative to the abolition of the slave trade; which being read, lord Grenville said, that upon this subject, after the repeated discussions and the minute investigations it had undergone for twenty years, he did not think it necessary to take up much of their lordships' time. The resolution of the house of commons contained a conclusion drawn from certain premises; and the question now was, whether those premises were correct; and, if so, whether the conclusion drawn was correct. The resolution stated that the slave trade was contrary to humanity, justice, and sound policy, and ought to be abolished. That the trade was contrary to humanity could not surely be doubted for a moment, nor did he believe there was one man to be found who would venture to declare, that this trade was in the least degree consistent with humanity. Let it be considered in the three stages of its progress: first, dragging away the unfortunate Africans from their homes, their families, and their comforts; next, the transfer of them from thence to the West Indies; and lastly, the treatment of them whilst there; and in all it would be found most inhuman. The means that were adopted to drag the unfortunate victims from their homes, were in the highest degree cruel, and at the same time contributed to keep up a continued system of barbarism in Africa. Torn from all the tender and social ties from which they derived their happiness, and feeling poignantly the miseries of the condition imposed upon them by our traders, they were doomed to endure still greater miseries in the transfer from thence to the West Indies. It was impossible for any man, however steeled his heart, to read of the horrors of the Middle Passage, of the treatment which these poor negroes experienced, or the miseries which they endured, without shuddering at the recital. Arrived in the West Indies, a new scene of misery opened to their view. Goaded with the lash, they were compelled to labour from morning till night beneath a burning sun, and under the oppressive tyranny of task-masters set over them by their owners; and though they might sometimes be mildly treated, yet it could not be denied that nothing was a greater corruption of the human heart, than arbitrary power; nor could there be a greater temptation to the abuse of power, than situations where, as in the West Indies, a white overseer, amongst a great number of negroes, had it in his power to ill-treat them in the grossest manner, whilst they could not be legal evidence against him in any of the courts of justice. That the trade was contrary to justice was clearly in his mind established; the principles of justice as amongst the individuals of a nation applied equally amongst nations, and nothing could be more contrary to justice than robbing men of the fruits of their industry, without giving them any compensation, as was the case with those unfortunate negroes, the fruits of whose industry were wrested from them, they receiving nothing in return but an aggravation of the injustice, the bitter portion of slavery. That what was contrary to humanity and justice, must also be contrary to sound policy, it was

unnecessary

unnecessary to argue. As to any argument set up respecting the profit of the trade, it would serve to justify robbery, or any other crime. On grounds of policy, however, he called upon those who advocated the cause of the planters, to agree to the abolition. Those persons who were best qualified to judge of the state of our West Indies, had declared that the abolition of the trade was necessary to prevent the ultimate destruction of these colonies; and with the example of St. Domingo before their eyes, it surely could be no longer problematical, that the more they increased the number of negroes, the more they increased their danger, the more they increased the means which threatened their destruction. The great mortality which took place amongst the negroes, was amongst those who had newly arrived in the islands; but there was no reason to believe that any similar mortality would exist amongst the negroes seasoned to the climate: on the contrary, it might be confidently expected that a sufficient stock might be kept up without any fresh importation. From all the arguments and facts which the subject afforded, he was decidedly of opinion, that the conclusion that the trade ought to be abolished was correctly deduced from the premises contained in the resolution of the house of commons, and he should, therefore, move a similar resolution, concurring with that of the commons: and though, in his individual opinion, the best abolition would be an immediate abolition: yet, in deference to the opinion of others for whom he had a high respect, he would wish the subject to stand over for mature deliberation next session. His lordship concluded by moving a resolution to the effect he had stated.

Lord Hawkesbury concurred with the noble lord in opinion, that if a trade was carried on which was contrary to humanity and justice, there could be no question as to its being contrary to sound policy. This, however, was not the way in which he viewed this question. It was not upon abstract principles that the question as to the abolition of the slave trade ought to be considered, but as to its practical effect; and in this view of the subject, the noble lord had advanced principles in the course of his speech, which he did not venture to sanction in the motion with which he concluded. He did not believe that our ceasing to trade to Africa for negroes, would be of the slightest benefit to the people of that continent, nor did he believe that one slave less would be imported on account of our giving up the trade: the only effect would be, that British capital would be transferred to foreign islands, that the trade would be transferred to other hands, while the same regulations for meliorating the condition of the negroes in their passage did not exist, and that thus no benefit would practically result from the measure. Slavery was undoubtedly an evil, and the slave trade was an evil: so many other evils existed, particularly comparative evils in the state of human society: but it did not follow that every evil was to be abolished, without reference to the practical effect of such abolition, as in such case a greater evil might be produced by the sudden change than previously existed.

The lord chancellor supported the motion of lord Grenville. His lordship pathetically described the horrors

horrors attendant upon the slave trade, in first dragging the unfortunate negroes from their homes, and subsequently conveying them to the West Indies. Of the former part of the trade he had only a glimpse, but that was sufficient to instil into his mind the most horrid ideas of the nature of the trade: of the latter he had been an eye witness, and nothing could be conceived more horrible. He declared himself decidedly hostile to the further continuance of this traffic.

Lord Westmoreland opposed the resolution; he entered into the defence of slavery as consistent with the law of nations, and as practised among all the nations of antiquity, and even authorized by the Jewish code, while it was not expressly prohibited by Christianity.

The bishop of St. Asaph spoke with great energy of the effects of slavery, as degrading the slave below the condition of humanity, and as depriving him of the power of directing his own exertions, whether mental or bodily. Though slavery had been practised among the ancients, yet they did not carry on the traffic in large fleets as now conducted, and they had nothing among them that resembled a slave ship. He entered into an explanation of the Jewish policy with regard to slaves, contending that it was mild, and that it directed the manumission of the slave after a certain period. He concluded by appealing to the justice and humanity of their lordships in support of the resolution.

The earl of Suffolk, lord Holland, earl Stanhope and lord Ellenborough spoke in favour of the motion, but it was opposed by lord Sidmouth: it was however carried by a large majority.

Lord Grenville then moved that an address be presented to his majesty, praying him to negotiate with foreign powers for the purpose of procuring the general abolition of the slave trade; which was agreed to.

On the 23d of June lord Henry Petty rose, in pursuance of the notice which he had formerly given, to submit to the house a plan for the more effectually auditing of the public accounts. Without going over the grounds over which he had formerly travelled, or entering upon statements which had then appeared to convince the house of the necessity of doing something for the purpose of having this mass of accounts audited, he would content himself with laying before the house the basis of the plan which he had in view, and mentioning the amount of the accounts which remained unaudited, with respect to which he had now more full and correct information than he had when he had before occasion to address the house on this point. When this was considered it would be a proof, not, certainly, of the efficacy of the measure which he was about to propose, but undoubtedly of the necessity of doing something. He would afterwards show that this method was the only one which was likely to be attended with the desired success. The amount of accounts unaudited was greater than he had before stated. The amount of accounts delivered in was above fifty-two millions; the amount of accounts under examination was 169 millions; the amount of army accounts not delivered in was 209 millions; of navy accounts not delivered in 100,820,000*l.* which added to three millions of unaudited accounts in another department, made a total of about 534 mil-

534 millions of money. That enormous amount of unaudited accounts it was the object of the present administration, as far as in them lay, to endeavour to audit. He would now state the plan more distinctly. But first he ought to observe, that the two comptrollers of army accounts were to be separated from it entirely, a measure, the expediency of which had been already recognised. After this separation it was intended to consolidate the two existing boards, and to add four commissioners: one of these would be a chairman, with an increase of salary. It was intended that the application of these boards to any particular business relating to the accounts, as occasion might require, should be left in the hands of the treasury, which must be best able to judge how the business ought to be apportioned. At present, however, it was proposed that out of the ten commissioners four should be intrusted with the auditing of the current accounts, and these would form the first board. The second board would consist of three commissioners, and these would have the charge of those accounts which were now under examination. The third board would also consist of three commissioners, whose business it would be to bring up those accounts which were entirely in arrear, and not entered on at all. This was what at present appeared to be the most useful arrangement. As the establishment was by this plan undoubtedly considerably increased in the first instance, it was proposed to have the advantages of this increase with as little expense to the public, and with as little additional power to ministers as possible. With this view a provision would be introduced into the bill, by which in no instance in case of a vacancy by death could the loss be supplied till the number was reduced to five, without coming to parliament; and on such occasions the house would have an opportunity of discussing the necessity for, or the expediency of, the several appointments, and of ascertaining how the work went on. This would afford employment to the ten commissioners till they were reduced to the permanent number, which was six. But in the event of the business getting on faster than was expected, a thing not very likely to occur, there was a provision by which the commons, by an address to his majesty, might suppress any of the commissions. However, parliament would have the whole under its own eye. But the great provision respecting the current accounts was, that there should be a compulsion extending to all accountants, by which they must send in their accounts from year to year. Another part of the bill was to enable the accountants to have their accounts attested, wherever they should be, before any of the commissioners of the exchequer; which, as these were spread over the whole country, would be a very great convenience. Another part of the bill he considered as of great importance, and that was the provision by which all those public officers who authorised the expenditure of the public money, should be charged with that expenditure, and made accountable for it; but at the same time an appeal was allowed them to the exchequer in case they felt themselves aggrieved. It was also provided, that when accountants paid any part of the funds which had been issued to them into the proper office, they should be considered as so far

far acquitted. There now remained only to state the authority which was to be committed to these commissioners. The nature of this authority was to remain as before, but to be extended over all persons who had the care of stores, &c. &c.; all which persons they should be empowered to call before them. In addition to this, it was proposed that the comptrollers of the army should have the power of calling all persons before them who were concerned in the military expenditure of the country, and their powers were to be placed exactly on the same footing as they were when the commission was first created in the reign of queen Anne. These comptrollers were to be the advisers of the treasury in all matters connected with the military expenditure; and in case any persons for whom they called should refuse to appear, which he was told was sometimes the case, they should have the power of imposing a fine on all such persons. There was one thing more which it was incumbent on him to state, and that was, that where the stores were embezzled, a valuation was to be made, and the persons who had the care of those stores were to be charged with the amount according to the valuation. He had now stated the principal particulars of the plan which it was proposed to carry into execution, for the auditing of the public accounts. If any thing further could be suggested for this great object, it would be thankfully attended to. As to the importance of getting rid of this mass of accounts, it was too obvious to require any comment. But as to the patronage that might thus be conferred on the treasury, that was a point which he wished to be thoroughly investigated, as an opinion seemed to be entertained by some, that there was a design in this to augment the patronage of the treasury. All he could say at present was, that both his noble friend (Grenville,) and he himself, were extremely anxious to avoid any thing that could have the tendency of giving patronage to the treasury; and if there could be any other mode by which the end proposed could be effectually answered, that mode would be gladly adopted. He pledged himself that next session he would propose some plan to regulate the accounts of the war office; but in the mean time we ought to proceed immediately with all that could be done for the present. He concluded by moving for leave to bring in a bill for consolidating the two boards of commissioners, and for the more effectual auditing the public accounts in arrear. On recollecting himself after he sat down, he rose again and stated that the expense of the permanent commission would be less by 1000*l.* a year than the expense of the establishment at present. The expense of the present establishment was 28,000*l.*—that of his permanent commission would be 27,000*l.*; the expense of the temporary addition would be 14,000*l.* more, which would make it in all 41,000*l.*

Mr. Rose said, that out of the whole 534 millions stated by the noble lord to be wholly unaccounted for by the commissioners of public accounts, and for the investigation of which he lately professed to bring forward the present measure, only eight millions really remained unaccounted for. The rest were, to all intents and purposes, accounted for as satisfactorily as was possible, though, perhaps, the whole had not passed the commis-

sioners

sioners of accounts; and of this eight millions, the only part upon which investigation could attach, with any hope of recovering a shilling for the public, was about 99,000*l.* So that the construction of all that expensive system of machinery proposed by the noble lord, of increasing commissioners, accountants, and all the other train of subordinate officers, was, in fact, doing nothing for the public. Having concluded his observations upon the propositions of the noble lord, whose chief object seemed to be the censure of a former administration, and to create unnecessary patronage, he would now beg leave to advert to some allusions made personally to himself on a former night. It had been said that observations from him, tending to condemn the creation of sinecure places, came with a peculiar ill grace; and allusions were made to sinecure places and lucrative appointments which he was supposed to possess. On this point it was necessary to explain to the house the fallacy of such allusions. For the place he held under the administration of his late right hon. friend, as secretary of the treasury, he had resigned a certain, permanent, and lucrative employment producing him 5,400*l.* a year, arising from fees, to take up a precarious one, which reduced his income to 4,500*l.* a year; this income the lords of the treasury were afterwards pleased to reduce by a new regulation to 3000*l.* a year; and upon the former resignation of his right honourable friend, he resigned this without any provision whatever. On the return of his right honourable friend again to office, he accepted of another office, which he again resigned without any provision; and as to the employment which he now held, it was one which had been usually conferred in reversion for a series of five centuries, and was given to him on a similar footing, upon a reversion of two lives, one of which continued six years after he obtained the promise; and the other was, at the time, of his own age, and a life in every respect as good, and as likely to last as his own. This grant was the only favour he ever asked for himself or any of his family, close as were the friendship and intimacy which had for above seventeen years subsisted between himself and his late right hon. friend; and he believed that he, in this instance, stood the single exception to all men who had ever preceded him in office, under similar circumstances. The question being put, leave was given to bring in the bill, which was afterward carried through the several stages, with little opposition, and passed.

July 2.—Lord H. Petty rose, in order, pursuant to notice which he had formerly given, to call the attention of the house to the subject of the vaccine inoculation. Though this was no political subject, yet it was one so important to the health and to the very existence of multitudes of the human species, that it was as well worthy the attention of the legislature, as it certainly promised to eradicate that horrid disorder called the small-pox. He would not enter at present into any minute detail on this discovery, as it had on a former occasion been brought before the house by his predecessor. This interesting discovery had been the result of the labours of one eminent physician, who had been for thirty years solely occupied in bringing it to maturity. He began so early as the year 1777, and by a slow gradual progress brought

brought it to what it was now. In 1783, he thought of extending it by inoculation, and hoped by this means to effect the total extinction of the small-pox. In 1798, after its beneficial effects had been in some measure ascertained, it was submitted to the public, and began to be generally diffused. In that year it had been diffused in England; in 1799 it had been adopted in America, not only among the white inhabitants but also among the Indians, with all the success that its greatest admirers could hope for. In 1801 it had been adopted on the continent. By the exertions of his royal highness the commander in chief it had been diffused over the coast of the Mediterranean. It had spread also in Russia and in Prussia. But what he wished particularly to call the attention of the house to, as it was the circumstance that made the strongest impression on his mind, was, the success which it had met with in the Austrian dominions. He begged leave to mention one fact. In the year preceding the introduction of the vaccine inoculation, the deaths at Vienna, by the small-pox, had been 835. In 1802, this discovery having been previously introduced, the number was reduced to 61; in 1803, to 27; and in 1804, to two persons: so that the annual saving by means of this discovery, in that city, was 833 persons. Yet after this it was melancholy to think, that when the progress was so rapid on the continent of Europe, and even in China, the motion in this country should rather be retrograde. This had been owing to some objections that had been made to the practice; but even these very objections furnished a strong argument for the proposition which he was about to submit to the house. But these objections had certainly prevailed in retarding the progress of the discovery in this country. In London, in 1802, the deaths by the small-pox had amounted to 1811. In 1804, they had been reduced to 622. But, in consequence of the prejudices against the vaccine inoculation, they had in the last year arisen to 1685; so that they were fast approaching to their original amount. Under these circumstances he had been induced to bring the subject before the legislature; not with a view of proposing any compulsory measure, for he was aware how improper it would be to propose any measure of compulsion in a case where the persons most nearly concerned must be supposed to be the most competent judges, where health and happiness were concerned. His object was, that the royal college of physicians should examine into the case, state the condition of the vaccine inoculation in this country, inquire into the causes that retarded its progress, and make a report accordingly. He would propose this with a view to have the report before the house early the next session, when it would be referred to a committee, in order that the discovery might have that increased action, which, if the report should be favourable, must follow such an inquiry. He concluded by moving, "That an humble address be presented to his majesty, requesting that his majesty would direct his royal college of physicians to inquire into the state of the vaccine inoculation in this country, and into the causes that retarded its progress, and report their opinions, and the evidence on which they were founded, and to order that this report should be laid before this house."

Mr. Matthews rose to second the motion. He had at first some doubts

doubts as to the usefulness of the discovery, and had attentively watched its progress, and the result was, that he was fully convinced of its great value. The small-pox inoculation, he stated, was liable to great objections. Death in many instances ensued: though beneficial to the individuals, it was a magazine of contagion, and it had, besides, the effect of stirring up another disease in the human frame, which was the scrophula. The cow-pox inoculation was not liable to these objections; and he was of opinion that, in the cases in which it had failed, it had not been fairly tried.

Mr. Wilberforce expressed his satisfaction at the subject having been brought forward by the noble lord. He was not surprised that the people of this country had been more slow in allowing the benefits of this discovery, as in a free country, every one was more inclined to judge for himself, and to adhere with stubbornness to his opinion, even when erroneous. The causes of the slow progress of vaccine inoculation here, he thought, rather arose from improper matter having been, in some cases, used, and from the ignorance of many of the persons who inoculated, and who were not able to distinguish the true from the false species, than from the efforts which had been made to discredit it in certain publications, which, as far as he had seen, had been written in such a tone as to render them totally unworthy of attention. He thought, however, that a committee of that house, and of the house of lords, would have answered better than a report of the college of physicians: for he did not hope that much good would be derived from them, as almost every medical man of any eminence in London had already certified in favour of the vaccination. He differed with the noble lord in another respect, as he conceived that there might fairly be some compulsion used on the part of the legislature. Certainly it would be unjust to compel persons to be vaccinated; but it would be by no means unjust to compel persons, who chose to be inoculated with the small-pox, to take such precautions as should be judged necessary to prevent the spreading of the infection to others. Although it might not be fair to compel persons to take precautions for their individual security, it was perfectly fair, by legislative compulsion, to prevent them from injuring society by spreading infectious disorders. In the case of the plague, and other infectious maladies, very rigorous measures are taken by all governments to prevent the spreading of the infection; and he could not see why the same should not, in a lesser degree, be applied to the small-pox.

Mr. Windham, Mr. Bankes, Mr. W. Smith, and Mr. Paull, spoke in favour of the motion; and the address was agreed to *nem. con.*

CHAP-

CHAPTER VII.

Debate on Mr. Whitbread's Motion for fitting up Westminster Hall for Lord Melville's Trial—Lord Grenville's Motion on the same Subject—Thanks of the Commons to the Managers of Lord Melville's Trial—Debate on Mr. Prinseps' Motion for Papers on India Affairs—on Mr. Johnstone's Motion for Letters written by Lord Cornwallis—on Lord Ossulston and Mr. Paull's Motions for Papers on the same Subject—on Mr. Pole's Motion—on Mr. Francis's Motion for Papers—on the Nabob of Arcot's Debts—Lord A. Hamilton Motion on the Administration of the Marquis Wellesley—Mr. Paull's Charges against the Marquis—Lord Temple's Motian on the same—India Budget.

WE have in a former chapter noticed some proceedings in the house of commons relating to the impeachment of lord Melville. In this we shall give a brief detail of what occurred afterwards in parliament on this business; and then lay before our readers a short sketch of the several debates on India affairs.

On the 26th of March Mr. Whitbread, after a few preliminary observations, moved that the house of commons be present at the trial of lord viscount Melville, as a committee of the whole house.

Mr. Robert Dundas said, the effects of the present motion would be to oblige the house of lords to address his majesty for having Westminster Hall filled up for the purpose of their proceeding to trial. Such a step, he said, would not only lead to great inconvenience, but might be the source of gross injustice and oppression, by the delay and expense which such a proceeding would produce. Whenever any question occurred in which it might be necessary for the house of lords to deliberate, all that could be required, if the trial proceeded in their own house, would be for the managers to retire till the question was discussed. But, if the trial proceeded in Westminster Hall, the lords would be obliged, on every such occasion, to retire to their own house; and if they continued debating till near the usual hour of adjournment, there would be little chance of their returning to the hall that day. In this way, it was a fact, that no less than two or three days of delay would take place in the one case, for one in the other. He trusted he did not ask too much of the house in hoping, that in the pursuit of justice they would not be guilty of oppression—that they would not adopt a mode of trial which would be vexatious in point of time, and ruinous in point of expense. He thought the case of Mr. Hastings would have been sufficient to warn the house against the adoption of a proposition like the present. He had no doubt the managers would conduct the case with all the expedition in their power; but it would not be in their power, or in that of the accused, to do so in Westminster Hall. The matter might occur to him (Mr. Dundas) more forcibly than to other members of the house, but he hoped the house would excuse him in stating it. The honorable gentleman was in possession of ample documents

documents to instruct, that the private fortune of the individual here accused, was not adequate to the support of an expensive trial; and when equal justice, and before the same tribunal, might be procured at a smaller expense, he submitted that it could never be the wish of the house, or of the honourable gentleman, to purchase it at a greater expense to the party accused.

Mr. Tierney said, that when the house had at last come to the resolution of impeachment, he had trusted that no further question on the subject would have been introduced. He was far from wishing to say any thing that might hurt the feelings of lord Melville; and he could not help bearing his testimony to the strict propriety with which the honourable gentleman who opposed the motion had conducted himself during the whole course of the discussion; but he was confident the house could not hesitate to adopt the motion before them. The substantial ends of justice might, indeed, be attained by a trial at the bar of the house of lords, but not with the same satisfaction to the public mind. He had always preferred the trial by impeachment, as more applicable to the high rank of the person accused, and the nature of the charges brought against him; and for the same reason, he thought that the trial should be conducted with every possible solemnity, so that the public might be convinced that no rank or station, however high, could protect any man from a solemn decision.

Mr. Bankes could see nothing to persuade the house to do that in lord Melville's case, which it had found so inconvenient in that of Mr. Hastings. In the course of that trial the delay was disgraceful, and the expense intolerable. He had all along been against sending any accused person to be tried in Westminster-hall, if any other place could be found where the ends of justice could be obtained; and he had formerly contended against taking this case from the ordinary course of law. He was sorry when the house had come to a different determination; but he still hoped that they would not adopt that mode of trial, which, in the case of Mr. Hastings, had done them no credit. Every end of justice would be fully answered by a trial at the bar of the lords, while the solemnity, the dignity, and decorum requisite on such an occasion, were liable to be interrupted in the promiscuous assemblage at Westminster-hall. An honourable gentleman had said, that it was necessary to satisfy the expectations of the public; but if they expected any thing beyond the distribution of justice, he did not see how they were entitled to be satisfied. But it might be said, that they looked forward to a great public spectacle; he believed, however, that the public now held such spectacles in abhorrence. The trial of Mr. Hastings had completely disgusted them with such exhibitions. If the twenty-one days trial of lord Macclesfield were compared with that which lasted eight sessions of parliament, it would be easy to see which deserved the preference. The various necessary delays that must ensue, and the time that must be consumed in a thousand ways, were all arguments against a trial in Westminster-hall. Even the money that might be necessary to

fit up the hall, should not be lightly thrown away at the present moment.

Lord Folkestone was for the motion.

Lord H. Petty, though he differed in opinion from an honourable gentleman who had preceded the noble lord, yet was not surprised at the arguments he had advanced. He had originally opposed the mode of trial by impeachment, and might therefore be consistent now in resisting a trial in Westminster-hall; but to hear those who had preferred impeachment, from the consideration of the rank of lord Melville, and the nature of the offence with which he was charged, concur in the arguments of the honourable gentleman, and opposing now the ancient and constitutional mode of conducting that impeachment, was rather extraordinary. The honourable gentleman had said, that the trial of Mr. Hastings reflected disgrace on the house. He, for his part, was not aware of any such disgrace, though he had heard it had been attended with much inconvenience. The present case, he said, differed widely from that of Mr. Hastings. Here all the charges, and all the evidence adduced in their support, bore distinctly on one point. He contended, that if the house did not agree to the motion of his honourable friend, it would amount to a declaration, that all the ancient and constitutional forms of impeachment were impracticable. The expense attendant on this mode of trial had been stated as an objection against it. It was not the expense of paper that might be consumed, or of benches that might be erected; but the want of these constitutional inquiries into misapplications of the public money, that could ever prove ruinous to the country. The first object which the house should have in view was the attainment of justice; open, clear, and public justice. To this every inferior consideration should give way. He was confident that the people would take the most decided interest in the discussions, and he thought that the public anxiety should be gratified as much as possible. For these reasons he supported the motion.

Mr. Whitbread wished to say a few words, in reply to the objections which had been made to his motion. An honourable member, for whose conduct in the whole of this business he had taken every opportunity to express the greatest respect, had appealed to the compassion of the house, and had complained of the oppression and vexation which a public trial would cause. Nothing of the kind was however intended. It was only wished, that the trial should be conducted with all that solemnity and publicity which had been the uniform practice in this country. The arguments against idle expense, and an unnecessary audience, would go to shut the courts of justice altogether against the public, and thus deprive our mode of administering justice of that publicity, which is one of its greatest boasts. Those gentlemen who voted for the impeachment in preference to a less solemn trial, must have had it in contemplation, that it would be conducted in Westminster-hall. This had been the uniform practice ever since the Restoration, except in the case of lord Macclesfield. In his case also, a very long protest was entered against

against the innovation. Was it not to be supposed that every member of this house would wish to attend on so important an occasion? But have they this in their power, if the trial take place in the house of lords? Surely not. "Let us not go to the expense of fitting up Westminster-hall!" He did not feel the same fears; and should advise, that they should go to the expense of fitting up Westminster-hall, as he thought the simple question with regard to which of the places the trial should be held at, ought only to be, which of the two places would hold the greater number of people? which of them would give the greater publicity to the trial? It was certainly not the wish of the managers to give publicity to any other species of information than that which they had necessarily collected in the course of their examination; but what bore directly on the charges they had preferred against lord Melville, ought to be made as public as possible. If there was such an anxiety in the public to hear the impeachment of lord Macclesfield, that the house of lords was not sufficient to accommodate them, there might be expected to be at least equal anxiety to hear the trial of lord Melville, who had held nearly the same rank as a minister, a peer, and a privy counsellor, and who was charged with offences of nearly a similar nature. He thought that every individual would be anxious to be present at such a trial.

Mr. Wm. Dundas would not allege that it was possible for him to be altogether impartial on this subject, but he was at a loss to see how the ends of public justice could be better promoted by having the trial in Westminster-hall. It was the very essence of justice that it should not be dilatory, and that it cause as little vexation or oppression as was possible. It was a maxim of our law, that every man was to be presumed innocent, until his guilt were proved; and therefore he had a right to presume lord Melville to be innocent of what he had been charged with. If so, the consequence of a long protracted impeachment would be to bring inevitable ruin, and an age of poverty and want, upon an innocent man: but even if he were not allowed to make this supposition, he should ask, Was it fair, was it generous or just, that lord Melville, whose political life (independent of that matter now alleged against him) was known to be marked with public services, should be consigned to an age of poverty and want, merely because one place for the trial might afford something more publicity than another? In the mode that was now proposed, after the example of Hastings's trial, it would be evident that lord Melville, whether innocent or guilty, must meet the severe punishment of poverty and want, which the expense of this trial must necessarily occasion.

Mr. secretary Fox said, if the pure question had been, whether there was to be an impeachment, or a criminal information, he would have preferred an impeachment. But when he saw that the motion for an impeachment was lost by a majority, hollow as it was, he had no alternative but to adopt a less eligible mode of proceeding, rather than have none at all. But how was that majority procured?—Why, by the union of two parties, one of which endeavoured to stop all proceedings. The two gentlemen, relations of lord Melville, who

brought forward and supported this proposition, were certainly justifiable in what they did. Nobody could be more alive to the sympathy of relationship, or even of friendship, than he was; but at the same time he must say, that they were not exactly the persons whose directions were to be followed in this instance. How did the case stand?—A motion was made for a criminal information, and at the time it was pretty plainly insinuated that this was the mode which, on account of the comparative smallness of the expense, the accused would prefer; but afterwards it appeared that lord Melville, upon re-consideration, with all the disadvantage of the additional expense, preferred the mode of impeachment. But was it ever said or insinuated that the impeachment was not to be conducted in the most solemn manner? Not an idea was entertained that the trial would not be allowed to proceed in the way best calculated to answer the ends of public justice. On the contrary, the cordial support of the honourable gentleman was promised to the managers who were to conduct the impeachment. With regard to the length of time, his honourable friend had given sufficient reason to suppose that the difference would not be material; and as to the argument of the honourable gentleman, who maintained that a trial at the bar of the house of lords would be as public as one in Westminster-hall—he supposed that his reasoning would have very little influence on the house. Now, why should we resort perpetually for directions to those who had opposed all criminal proceedings in this case? It was an old rule of the house, which was now dropped, perhaps properly, but which was not without some grounds to support it, that no person should be allowed to speak in a committee on a bill who opposed the principle, because it was thought that such persons would not make any alterations in the detail, which would promote the object of the bill. "A public spectacle!" said an honourable gentleman opposite him. Why, he hoped that every trial of this kind would be rendered a public spectacle, and that as many as possible would be admitted to them; not, indeed, with a view to influence them, but that those who were concerned in such trials might feel the responsibility of their situations and characters, that the public might be satisfied that every thing was fairly conducted, and that the decision, whether one way or the other, was given with that deliberation and impartiality which the circumstances of the case required.

Mr. Canning, after the speech of the right honourable gentleman (Mr. Fox,) and when it was considered how much warmth he had thrown into that speech, scarcely knew what course he had to take. If it was decided that "the strong arm of government" was to fall upon lord Melville (cries of "No! no! Order! order!"), perhaps it would be as well if gentlemen on that side of the house were to hold their tongues altogether. The right honourable gentleman, besides imputing to them the greatest inconsistency, seemed to consider, that every argument which came from them should be received with the greatest suspicion. The honourable gentleman had also stated, that it was impossible that those who voted for the impeachment could have then in their contemplation, that such impeachment would

would be regulated by the precedent of lord Macclesfield's case, rather than by that of the other precedents of impeachment in Westminster-hall. It, however, was natural that they should look to that case, which was the only one cited at that time. As for himself, he trusted that his assertion would deserve as much weight as the general assertion of any other gentleman, and he must declare that he had this case in his contemplation when he voted for the impeachment.

After some further discussion, in which Mr. Wynne, Mr. Wallace, Mr. Grey, and Mr. Stuart Wortley took a part, the motion was put, and carried without a division. A message was then ordered to be sent to the lords, to acquaint them with the resolution, and requesting that accommodation might be provided accordingly.

On the 27th Mr. Whitbread, and some other members of the house of commons, delivered the message at the bar of the house of lords; upon which

Lord Grenville observed, that it was of the utmost importance that, in the progress of the trial, all unnecessary delay should be sedulously avoided. It was due to the prosecutors, as well as to the noble lord impeached, that justice should be attained as speedily as possible. With this view, he intended to move, when his majesty's answer, to an address that he should now propose, should be received, to refer to the committee already appointed to search for precedents, to consider of the best means of proceeding in the trial without delay. Two or three suggestions he would now throw out:—the first was, that the trial, when commenced, ought to be proceeded on from day to day until it was finished. This would go a great way towards attaining the ends of justice as speedily as possible, while, at the same time, the trial would, in that case, be in a greater degree assimilated to a trial in a court of law. Another circumstance was the hour of assembling, which he thought should be rigidly adhered to. It would also be a great saving of time if some mode were adopted, with respect to collecting the opinions of their lordships upon any disputed point of evidence, without their being under the necessity of retiring upon every such occasion to their chamber. He concluded by moving for an address to his majesty, praying "that his majesty would be graciously pleased to give directions to prepare a place in Westminster-hall, for the trial of lord viscount Melville."

Earl Stanhope said, he would venture to suggest one regulation, from which he thought much benefit would be derived: upon the trial of Mr. Hastings, it was customary for the house, whenever any objections on points of evidence arose, immediately to adjourn for the day to the parliament chamber. Now he thought it would be better that their lordships should receive the objection, and proceed, if the progress of the cause did not essentially depend upon it, to determine the point next day, or at some convenient opportunity, without impeding the course of the proceedings.

The motion of lord Grenville was agreed to; and Westminster-hall was accordingly fitted up for the reception of the house of commons and the public.—The committee of impeachment, on the 23d of April, reported by means of Mr. Giles, that they had inspected

the place in the court prepared for the accommodation of the house, and found that there would be sufficient space for the reception of five hundred members, besides the managers of the impeachment. Mr. Giles then moved a series of resolutions with regard to the order to be observed during the trial.

In the house of peers several conversations took place as to certain forms and orders to be observed during the trial, which it is not necessary to detail. On the 1st of May their lordships met at ten o'clock, and after some common-place business they proceeded at eleven to Westminster-hall to attend the trial of lord Melville. An account of this trial will be found in a succeeding chapter. In this place it will be only necessary to record the vote of thanks to the managers, which was passed at the conclusion of the business.

On the 23d of May the secretary at war rose pursuant to notice, to move the thanks of the house to the managers of lord Melville's impeachment. In the motion which he was about to submit on this subject, he hoped he should meet with the unanimous concurrence of the house. The whole of the business relative to lord Melville was a matter of peculiar importance; it was one to which the attention of the house and of the country had been particularly directed. The impeachment which had been voted last session, the subsequent trial which had taken place in Westminster-hall, and all the proceedings connected with this subject, were of a nature that must excite the greatest interest in the minds of all those to whom the care of watching over the expenditure of the public money was chiefly intrusted. That business being now brought to a conclusion, and it being customary for the house in this stage of the business to express its sense of the conduct of the persons whom it had appointed to manage such matters, he now rose to call the attention of gentlemen to the conduct of those who had the direction of the proceedings in the impeachment of lord Melville. He believed that those who had attended at Westminster-hall, and who had observed the conduct of these managers in every stage of the proceedings, would agree with him, that however excellently any former impeachment might have been conducted, however judicious, skilful and prudent the conduct of managers might have been on any former occasion, none could ever have been conducted with more ability, more zeal, more discretion, more judiciousness, more prudence, or more energy, than this last had been. He therefore moved, "That the thanks of the house should be given to the members who were appointed to manage the impeachment of lord Melville, for the zealous, able, and faithful manner in which they had fulfilled their duty." Upon the question being put, it was carried with one dissentient voice. The managers then stood up, and the speaker addressed them nearly as follows:—

"Gentlemen managers,

"This house, upon the result of a great and important inquiry respecting the administration of the expenditure of the public money, came to a resolution to enter upon the most grave and solemn of all its functions, and resort to its prerogative of impeachment against Henry lord viscount Melville. It is the power of impeachment that

has

has enabled the commons of this country, at all times, to lay open the misdeeds of the highest servants of the crown, and to prevent, or punish, all inroads which may be made upon the liberty of the subjects of this realm. In the prosecution of this impeachment, the house appointed you to prepare and arrange the proofs of the complicated transactions on which their charges were grounded. Their charges were against a noble person, whose rank and high consideration in the state must hold him forth as a signal example either of good or of evil. Throughout the progress of the trial they have witnessed, with peculiar satisfaction, your great attention and dispatch, which have rescued the trial by impeachment from the disgrace into which it had fallen, and restored it to its former strength and honour. They have witnessed in you an unwearied diligence in the discharge of the trust committed to you, a singular sagacity in discovering the proofs, a boldness which so properly belongs to the commons of the united kingdom, a strength of argument, and a power of eloquence, which threw the light of day upon dark, secret, and criminal transactions. The final issue of this trial now remains for another body. It is before one of the highest of human tribunals; it is the house of lords which is to determine ultimately for the condemnation or acquittal of the person accused. Be the final issue what it may, you have done your duty. You have satisfied the expectations that the house had formed of you, and you have deserved their approbation and their thanks. I am ordered by the house to communicate to you the approbation and thanks of the house, for the faithful management of the trust reposed in you."

The secretary at war rose and said, that though he was disappointed in his hopes of unanimity on his former motion, by one dissentient voice, yet he believed that in the motion which he was now to submit he should not be opposed even by that one: he therefore moved, "that Mr. Speaker be desired to print the speech which he had made to the managers of the impeachment, in consequence of the resolution of the house." This motion was agreed to.

We have already noticed in the first and third chapters of this volume, certain motions on India affairs, made by Mr. Paull and Mr. Francis: we shall now proceed briefly to state the particulars of the succeeding debates on the same subject, without pretending to give at length the debates themselves, which would occupy more room than we are able to assign to the whole of the article of British history.

Mr. Prinsep on the 28th of Feb. moved for certain papers relative to India, for the purpose of ascertaining the amount of capital borrowed in India for the company's commerce; and for finding out whether the stores, &c. were included in the stated expenses of their territorial revenue.

Mr. Francis seconded the motion, as it would tend to give a clear and precise view of the company's affairs with respect to their finances and commerce, which would be for the interest of the company, as well as for that of the country at large, who would certainly be called upon to relieve the company from any embarrassment into which it might fall by bad management. He said, the

attention of the house should be called to the course of business between the directors and the board of control. The authority of the directors he believed was in fact annihilated. They did nothing, they answered for nothing: every thing rested with the board of control. This was contrary to the principle on which that board was established. The directors ought to be the managers, and the board was simply a control over them. But now they acted together, and this was called HARMONY, though another name might be more properly applied to it.

Sir Theophilus Metcalfe denied the statements of Mr. Francis, as far as they went to throw any reflection on the course of business between the directors and the board of control. The board had by law all the papers, and they of course were the persons to answer all public questions. He then referred to the case of captain Dunbar, who had been charged with a high crime, in allowing some dispatches to fall into the hands of the enemy: the truth was, the dispatches were hanging from the cabin, and a chain-shot from the enemy had cut away the sand-bags attached to one of the packets. The papers floated in consequence, and were picked up by the enemy's ship.

After a few words by way of explanation from Mr. Francis, and a short speech from Mr. Hiley Addington, the motion was agreed to.

On the 10th of March, Mr. Johnstone moved for copies of two letters written by lord Cornwallis to the court of directors, and also of a letter from sir George Barlow, his successor in the government of India. He disclaimed any personal animosity to the marquis Wellesley, but he thought it was necessary that the house should at length turn its attention to the mode in which India had been for a long time governed, and that the members should compare the system of lord Cornwallis with that of his predecessor. He felt that the empire was indebted to the marquis Wellesley, for so much of his system as established our military reputation and ascendancy in India; but he highly disapproved of the lengths to which that system was afterwards pushed, when, under the pretence of defensive war, all the native powers of India were forced to receive British garrisons, and were kept in greater subjection in their own capitals, than the kings of Wirtemburgh and Bavaria are at this moment by the emperor of France. Under vague pretences, a great part of the territory of our ally the nabob of Oude was wrested from him, and the possessions of the nabob of Arcot were seized under the pretence of treason. Highly as he disapproved of that part of lord Wellesley's system, he by no means meant to bring any charge against him on that account, as he could not impute to him any improper motives. He only considered that his lordship was possessed of too ardent a mind, and views of too great ambition. He hoped the house would recur to their former resolution, and that should be for the future the established system of Indian government.

After an animated debate, in which Mr. Fox, Mr H. Addington, Mr. Grant, Mr. Huddlestone and Mr. Francis took a part, the papers moved for were ordered to be laid before the house. On the next day

Lord

Lord Ossulston moved for a return of the debts of the India company in India, specifying the time and the terms upon which each debt was contracted, and when and where the principal and interest of the several loans were made payable. This motion was, after a short debate, withdrawn; and

Mr. Paull moved for the production of the correspondence which had taken place between the governor-general and council of India and the commander in chief relative to the commencement of the war with the rajah of Bhurtpore. The honourable member defended himself from the charges which calumny had propagated against him, in consequence of the conduct which he had been impelled by duty to pursue upon the subject of India, and particularly with respect to marquis Wellesley. Towards the latter, it had, he understood, been insinuated, that he was actuated merely by personal animosity. That insinuation, he was certain, could never proceed from the noble lord himself; for that noble lord knew him too well to ascribe his conduct to such a motive, for his lordship must know that it was impossible for him to feel any animosity. No provocation had even been given. On the contrary, he had experienced particular kindness from lord Wellesley, and therefore nothing but a strong sense of duty could have urged him to follow the course he had undertaken. He meant at present only to lay the grounds of an investigation into lord Wellesley's conduct, and not to pronounce him guilty. It was for this purpose, that he now moved for papers respecting the rajah of Bhurtpore. The marquis Wellesley had considered his alliance as of great importance; he had therefore concluded a treaty with him in 1803. This treaty, however, was soon broken on the part of the rajah, who entered into engagements with Holkar, our bitterest enemy. This conduct had been ascribed to the basest treachery; but he could not hastily adopt this opinion, as it belied every part of the rajah's former life. Whatever might be the reason, however, the marquis Wellesley, instead of demanding satisfaction, determined that the severest vengeance should be inflicted. He made no demand for reparation, but insisted on unconditional surrender. General Lake was ordered to advance against him, with as great a force as we had ever assembled in India. It would be unnecessary to relate to the house, the sanguinary and ineffectual assaults that were made on the fortress of Bhurtpore. Our attempts were unsuccessful, and were succeeded by an ignominious peace. These he conceived to be matters that required the serious investigation of the house, and for this purpose he should move, "that there be laid before the house, a copy of the treaty entered into between the government of India and the rajah in 1803; copies of letters from lord Lake to the marquis Wellesley, giving an account of the attacks on Bhurtpore; and a copy of the treaty concluded in 1804, between the marquis Wellesley and the rajah."

Lord Temple was surprised that the honourable gentleman had chosen to confine his charge within such very narrow limits. He thought, however, that when he was bringing a charge against a person so distinguished as the marquis Wellesley, it would have been more decorous to that noble person, and

and more candid and fair with respect to the house, to have simply moved for the papers, and then let them tell their own story. As for his part, he was fully convinced that when those papers should be produced, they would tell a story very different from that which the honourable gentleman stated. Instead of this war of extermination, and thirst of blood, that was imputed to his noble friend (lord Wellesley), it would be seen that he had conducted himself with unexampled moderation and forbearance to this very rajah of Bhurtpore.—As to the high character which the rajah of Bhurtpore had in India, and his great connections there, they only made his treachery more inexcusable and his hostility more dangerous. He utterly denied that he had been forced to the treaty which was signed in September 1803, as it was a treaty which secured to him great advantages.—There was a fourth article to that treaty which the honourable gentleman (Mr. Paull) had not stated, by which "each of the contracting parties was bound to furnish assistance to the other, in case his territories should be invaded." It was in consequence of this article the rajah was called upon, and did actually furnish a body of cavalry which joined our army, and he on his side received from the company a very valuable accession of territory and revenue, equal to one-third of all he was before possessed of. A very short time afterwards the war with Holkar broke out; and no sooner had colonel Monson's detachment met with a defeat, than this rajah was found to be in correspondence with the enemy, and conspiring to turn against us those auxiliary troops he had sent to join our army. The copies of this intercepted correspondence were sent to lord Wellesley in the month of July 1804; and nevertheless his lordship, who was stated to have sought a war of extermination, wrote to lord Lake, that he would not wish to punish the rajah, who was probably misled by mischievous agents and advisers.—These were the instructions with which general Lake marched to Agra, and which were afterwards left with general Fraser. The first direct act of hostility was committed on the part of the rajah, whose fortress of Deeg afforded a protection to the remains of Holkar's army, and fired upon the British troops, which enabled Holkar to carry off a great part of his army, and place his artilley in that fortress. After the fort of Deeg was taken, and notwithstanding the several unsuccessful attacks on Bhurtpore, the rajah at last came to his senses, and was glad to conclude a peace, by which he agreed to pay to the company twenty lacks of rupees in four years, and the company guarantied him his territories. He was also bound to keep no Frenchmen or Europeans in his army. On these conditions, the conquered countries, and even the fort of Deig itself, had been since restored to him. In all these transactions, he could perceive nothing of that implacable vengeance which was imputed by the honourable member to the noble marquis.

Mr. Johnstone observed, that some expressions had fallen from the honourable mover, which might naturally induce the house to believe, that he had concurred in this accusation of lord Wellesley, and had advised the honourable gentleman to bring it forward.—The advice, however, which he had given

given him at different times was directly the reverse. He had advised him, in the first place, not to stand as candidate for the borough he represented, and not to seek a seat in that house. The second piece of advice he had given him, was, by no means to agitate that business. It had appeared to him, that the stirring this business would have been disadvantageous and inexpedient for both of them. He should not speak about the private reasons which might dissuade others; but he should say, that for himself he feared it would only make the situation of those princes in India, to whom he was attached, still worse than it was at present. He had seen their wrongs, but despaired of being able to redress them.

Mr. Hiley Addington said, that he saw no objection to the granting the papers: his private feelings would rather induce him to second the motion than to oppose it; for he felt convinced, that when the papers were produced, they would exhibit a great many amiable qualities in the character of lord Wellesley, which many gentlemen were then unwilling to give him credit for. They would show, that to this very rajah he had exercised an extraordinary forbearance, and an unexampled moderation. Without meaning to oppose the motion, he would just observe, that he doubted whether a sufficient parliamentary ground had been assigned for it. It did not appear to him proper, that any member should move for a vast mass of papers, merely to fish out some cause of complaint which he did not know before. As for the declaration of hostilities against the rajah, no such paper did exist; there never was a declaration of hostilities, but the war began by the cannon of the fort of Deeg firing upon the British army, and protecting the retreat of Holkar. It was at a time when the rajah was writing the most friendly letters to lord Wellesley, and saying, in the oriental cant, "make me happy by your letters," that he was conspiring with the enemies of the company to expel the British from India. Nothing would be more demonstrable and unequivocal than the perfidy of the rajah, whom the honourable mover now extolled so highly. As soon as we had met a disaster under colonel Monson, this faithless prince chose that moment not only to violate his treaties, but to conspire the utter destruction of that power for which he professed so much friendship, and to which he owed so much obligation. The manner in which the governor-general gained information of his treachery was most unquestionable. A confidential agent of his at Maturah first informed the British resident of it, and about a week after a vakeel was taken, with the correspondence, which went to the whole extent that had been stated. Notwithstanding this certain information of the treachery of this prince, lord Wellesley was still inclined to impute it to intrigues and evil advisers, and did not give directions to go to war with him for above eight months afterwards, and not until actual hostilities had been committed on the part of that prince against our troops, who were pursuing Holkar in the neighbourhood of the fort of Deeg. The question was then put on the various motions for papers respecting the treaty, and all the transactions of the government of India with the rajah of Bhurtpore, and the several papers moved for were granted unanimously.

Mr. Paull, on the 17th, introduced

ced another motion for certain additional papers, as a foundation of a new charge against lord Wellesley, by taking a view of the noble marquis's conduct in Oude, Bhurtpore, the Carnatic, and Surat, and, on the whole, declared there was not a part of that immense peninsula which had not felt the system pursued by the noble marquis, which seemed to lead him to omit no opportunity of seizing on the territories of the defenceless. For what purpose, he asked, had Mr. Hastings been tried, but for example, and to hold out to the native princes of India, that the British government would never countenance such a system as that which had been pursued by him? On such principles had lord Cornwallis acted; and there was not a prince, not an individual in India, who would have uttered a complaint against his government; but in the course of three months the marquis Wellesley had completely changed the system from one extremity of the peninsula to the other. He hoped such a system would not gain countenance in that house. He concluded by moving for a number of papers connected with the territory of Surat.

Earl Temple, while he protested against such voluminous productions without any specific reason being assigned, declared, that on the part of his noble friend the marquis of Wellesley he courted the inquiry. On the subject of Surat, he should only state, that from the year 1753 it had been governed by the same family. In the year 1759, a treaty was made, by which the castle and fleet were declared to be under our control. On the marquis of Wellesley's arrival, he found the throne of that territory vacant. He gave it to the next heir, and, a thing which had not been before, made it hereditary in the family, giving them a greater share than they formerly had in the revenue. This was the way in which the noble marquis, in this particular instance, verified the statement of the honourable gentleman, and "seized on the territory of the defenceless." He should tell the honourable gentleman what he would do in his case: if he felt interested in the character of lord Wellesley, he would bring forward the charge; if he felt anxious for his own, he would put the motion in his pocket. His lordship then read, as part of his speech, a resolution of thanks by the court of directors to lord Wellesley, for the very service which was the subject of the present motion. After a debate in which several members took part, the papers moved for were granted.

On the 24th Mr. Pole moved for papers (1) relative to the affairs of India in general: (2) relative to the rajah of Bhurtpore: and (3) relative to the war with Holkar: which were all ordered. Various other papers were moved for by Mr. Paull at different times, which were generally granted. Upon one occasion, April 18, Mr. Hiley Addington declared he had not the smallest wish to oppose the production of papers. He should only request the house to keep themselves free from every bias, and to sacrifice some time in investigating the documents moved for.

Mr. W. Keene thought that in the management of an immense empire like India, it was possible that the governor-general might, for the salvation of the country, be obliged in some instances to violate the strict letter of the law, and yet deserve the thanks of the country.

He

He thought that no member was qualified to vote a censure on the governor-general for any particular transaction, without having studied very much in detail the whole system of the Indian administration.

Mr. Francis said, he had discouraged Mr. Paull from proceeding in this business, as he was sure he would not meet with support. As to his own speech, the more he thought on the subject, the more he believed what he had there stated was true, and he confessed that it contained charges of a very serious nature. It might be asked why he did not proceed upon these charges: that was not his object. His design was to have lord Wellesley recalled, and another system adopted; but he thought at the same time that there were sufficient grounds of impeachment against that nobleman. His object was in some measure answered, when lord Cornwallis was sent to India; and as to the impeachment of lord Wellesley, he did not proceed with that, partly because he was not equal to such a task, and partly because he had little hopes of having efficient support.

Mr. Fox observed, that when a bad system of government prevailed, the best mode of remedying this was not, in general, by impeaching an individual. The object was to remove the person who carried on such a system, and to take care that none such should be acted upon in future; and this being obtained, it might often be inexpedient to carry the matter any further. But, at the same time, there might be particular acts of so enormous a kind as to call for impeachment. Impeachment was a bad mode of proceeding except in particular cases, and certainly it was not advisable to adopt it with regard to a governor-general of India merely on account of his system. He did not say that impeachment ought in all cases to be abandoned; but he was really of opinion, that if it were often resorted to, it would from its difficulties be soon given up in despair, and impunity might thus be procured for almost all sorts of crimes and misdemeanors committed by a governor-general of India.

On the 14th of April, Mr. Hobhouse, in consequence of a petition which he had presented on a former day, from certain creditors of the late nabob of Arcot, praying that the powers of the commission for examining into their claims should be enlarged, moved for leave to bring in a bill "for enabling the commissioners acting in execution of an agreement made between the East India company and the private creditors of the late nabob of the Carnatic, the better to carry the same into effect." This motion he prefaced by a very long, elaborate and masterly speech on the subject, which he concluded by saying that he had stated from the year 1784, when parliament first established regulations respecting the debts of the nabob of Arcot, the funds which had from time to time been appropriated for their discharge, and the effects produced by the successive treaties and arrangements:—he had shown, and he trusted satisfactorily, the justice and propriety of the agreement which in July 1805 had been made between the East India company and the creditors of the late nabobs:—he had also explained the grounds of the present application to parliament,

ment, and the leading provisions in the proposed bill. He trusted that the decision of parliament, whatever it might be, would be speedy. The commissioners were unwilling longer to remain in a state of inactivity as to the most important part of their duty, namely, the adjudication of claims. He had every reason to believe that many of the claimants were in the greatest state of pecuniary embarrassment; their claims, therefore, should as soon as possible be brought to a decision; that, if solid, the parties might possess the means of relieving their distress; and, if unfounded, they might be taught no longer to depend upon an unsubstantial resource, or lean upon a broken reed.

Mr. W. Keene could not help remarking, that in looking over the list of claimants he saw a number of names of persons bearing high situations in India, and who perhaps had no strong claims on the humanity and equity of the company in this instance. He must also observe, that although in 1784 this country claimed no right of participation in the surplus revenue of the company, yet from the year 1793 the public had a claim of half a million annually, which it had never received; and, on the contrary, it was now stated, that a million was due from the public to the company. This might be a consideration in the discussion of the measure proposed.

On the 16th Mr. Francis moved for an account of all moneys which have been paid to the private creditors of the nabob of the Carnatic, since the passing of the act of the 24th of his present majesty; and also for an account of the several debts now due or demandable from the said nabob. Reverting to the subject to which he was about to attract the notice of the house, the hon. member remarked upon the equivocal character of these frequent claims upon the nabob of Arcot. A great deal of such claims had been already paid. After the payment of several millions (five or six), it was naturally supposed that no more debts were to be heard of. But still some pretended creditors started up. If such pretensions were attended to, he really believed that the whole revenue of the Carnatic would be insufficient to answer them; and if not, then they must come upon this country. He therefore cautioned the house to pause upon a transaction, of the character of which scarcely any one who heard him could be wholly ignorant; for every one must remember something of the nabob of Arcot's debts; it was a tolerably notorious topic. That distinguished statesman Mr. Burke had many years since very properly stated his opinion, that a combination of evidence served to show that sums had been distributed for a course of years, in the name of the old nabob of Arcot, to the servants of the East India company, in a most scandalous manner, and that there was strong reason to suspect that most part of the debts demanded were only fictitious. And that great orator showed that, even if these debts were really due, they were, from their amount, calculated to excite alarm, as the affairs of the company were so distressed as to be unequal to their liquidation. This the house would recollect was in the year 1784, when the situation of the India company was almost prosperity itself, compared to what it is at present. But even then, as Mr. Burke remarked, the company's

company's servants were in affluence, while the company itself was very much embarrassed. Yet although such was the case, although the company's servants were possessed of no less than ten millions, still their claims of three millions of debt upon our subsidiary princes were paid off by order of the board of control, against the strongest remonstrances from the court of directors, seconded by the opinion of lord Macartney. This served to show what might be done through the interest of individuals, notwithstanding this distress of the company's affairs; and as bearing very closely upon the present question, he requested gentlemen to look at the speech of Mr. Burke, to which he referred, and which, independently of its relevancy upon this occasion, must be read with pleasure by every man of taste; for certainly, among all the productions of ancient and modern eloquence, nothing could be found worthy to be put in comparison with it. The hon. gentleman, adverting to the bill in progress through the house, observed, that it was not accompanied by any specification whatever, of the amount or nature of the debts to which it was meant to apply. This specification it was his wish to obtain. Seeing that so many millions had been already paid on this score, and that, the more these claims were paid, the more they seemed to grow, he desired at once to ascertain their precise extent: that knowledge attained, questions would then arise, whether such claims were made by *bonâ fide* creditors or not; whether any, and which of them, should be paid; whether, in a word, under all the circumstances, that money should be granted to such claimants which ought to be applied to the support of our army and navy? That no equitable demands were to be found among those brought forward, he was not prepared to say. But, before any were acceded to, the house should be made acquainted with the whole amount. It would be unsafe to proceed without such knowledge; for, if a comparatively small sum were at first granted, it would be difficult to say how far the house might be led, upon the principle of that grant. It might not be known when to stop, and therefore he thought it best to make a stand *in limine*.

On the 20th of May, Mr Hobhouse moved the second reading of the bill for securing the payment of the nabob of Arcot's debts; upon which, Mr. W. Keene begged to call the attention of the house to the statute by which the charter was renewed. Every gentleman at that time did expect, and the public had a right to expect, that the time of participating in the revenues of India would have arrived before this. This charter was a sort of deed or partnership between the country and the company; but although the country had hitherto acted the part of a sleeping partner, yet it most clearly possessed the right of examining into the affairs of the concern, and investigating the causes which had prevented it from receiving that participation to which it naturally appeared to be entitled. When an object of that nature came before the house, it was necessary to look very narrowly into the causes which prevented this participation. In this point of view, he hoped the chancellor of the exchequer would bestow his attention to this subject, as, in the present difficulties of the country, it was a serious loss, in a financial point of

view,

view, to be kept from that participation in the revenues of India to which the country appeared entitled. In India, we had claims upon the government which were suffered to grow and accumulate for forty or fifty years, and which, after that lapse of time, burst upon the house all at once. The first set of debts of the nabob, although enormously great, had been already paid, and the debts now brought forward were those which had been kept in the back ground for a considerable time. Most of them had arrived to their present magnitude, from great and usurious interest given contrary to law. He believed, that of the debts now claimed, amounting to 5,600,000*l.*, there was not more than 500,000*l.* honestly and fairly contracted. The honourable member then took a review of the nature of some of the debts claimed: he desired the clerk to read a report respecting the conduct of John Macpherson, esq. afterwards governor-general of Bengal, while he was at Madras, in the year 1767. This report charged Mr. Macpherson with entering into negotiations hostile to the company, and of having gained an undue influence over the nabob.

Mr. Johnstone rose with some degree of warmth. He said, that he had not originally intended to speak upon the question, but could not sit silent when he heard the character of a most respectable friend of his, and to whom he owed many obligations (sir John Macpherson), aspersed in this manner. He thought it was extraordinary that the honourable gentleman should have chosen to go near forty years back for transactions, with which to charge sir John Macpherson.—As to the reports on which he grounded his accusation, there were some reports, and that which had been read was one, which deserved no more credit than the reveries of Robinson Crusoe. The sense that was entertained by the country of the conduct and services of that gentleman, was directly opposite to the statement in that report. Long subsequent to those transactions, he had been made governor of Bengal, and had introduced savings, or reductions, to the amount of twelve hundred thousand pounds. He wished all other governors of Bengal had done as much good. His majesty had shown his sense of his services, by creating him a baronet. As to what had been done forty years ago, it was a little hard to go so far back. If at that time he was perfectly unemployed by the company, he had a right to accept employment from the nabob.

After several other members had spoken, the debate was adjourned, and the second reading of the bill did not take place till the 7th of July. On the 11th, the bill was read a third time and passed in the house of commons. In the house of peers, it went through all its stages without discussion, and on the 21st it received the royal assent.

On the 21st of April lord Archibald Hamilton rose, in consequence of the notice he had previously given, of a motion for a paper containing the opinion of the court of directors relative to the transactions in India during the administration of lord Wellesley. His object in moving for this paper was, to make it a ground of charge against the late board of control, and the noble lord who presided there. If it appeared afterwards that the proceedings of that board had been just and proper, nobody could be more ready to acknowledge his

his error than he would be: but unless he was very much mistaken indeed, it would turn out that there were good grounds of charge against them. The noble lord had, year after year, gone on stating that the affairs of India were in a condition of the highest prosperity. The directors now said they had been on the brink of ruin. One or other must be mistaken; and his object was, to ascertain which statement was correct, and to whom the evils that had fallen upon India were to be attributed, supposing that the opinion of the directors was well founded. He was inclined to believe, that they were to be attributed to the board of control, or to the noble lord himself (Castlereagh), who in that case must, one would suppose, be tormented by all those feelings of bitter remorse which the cruelties committed in India, and the calamities which would follow the difficulties they had occasioned, must naturally excite. A dispatch had been signed by the secret committee, approving of the treaty with the nabob of Oude: yet it would appear that they had not approved of this, but reprobated it in the strongest manner. One object was to turn the attention of the house to the unhappy situation of the directors under the bill of 1784, which forced them to sign what they abhorred. If the sentiments of an honourable gentleman (Mr. Francis), who had turned his attention much to Indian affairs, had been adopted, we should not have seen this absurd anomaly of a government, which was neither responsible nor efficient. It was proper to see the contrast between the real sentiments of the directors and those to be found in the papers to which they gave their signatures. He concluded by moving for the proposed dispatch of the directors, the letter of the board of control refusing that dispatch, and the reply to the letter.

Mr. Huddleston observed, that with regard to these papers, the facts were, that the directors were anxious to show that, notwithstanding the signatures of the secret committee, their opinions were not favourable to the transactions in India under lord Wellesley. This was his view in moving for the papers; from particular circumstances he had postponed his motion, till, finding that the papers had been produced to the proprietors of East India stock, and the affair made sufficiently public, he thought it unnecessary to persist. But he supported the motion, however, on the grounds that every paper ought to be produced, that could be produced without injury to the public, since the public attention had been now so much directed to this subject.

Mr. secretary Fox declared, that it was with regret he heard that such a motion as the present was to be made, and more especially that it was to be made by two persons for whom he had a great respect (Mr Huddleston and Mr. Thornton). But the pain which he felt was not a little increased, when he found it was to be made by the noble lord near him (Hamilton), for whom he had the highest esteem, whose personal regard he would wish to conciliate, and with whom he would always desire to cultivate a political connection; for to him that noble lord's ideas respecting the constitution, and his sentiments on political subjects in general, appeared to rest on principles so just, and well founded, that it gave him the greatest concern to differ from him, even in the

application of these principles to any particular point. But he thought that the present question ought to be considered with a view to the judicial inquiry about to come before the house, and therefore our attention ought to be directed to justice alone. Now, reviewing the matter in this light, he could not reconcile it to his mind that the papers called for by his noble friend were not manifestly and grossly unjust. His noble friend seemed to admit, that it would be improper to produce them as a ground of crimination against my lord Wellesley, and he was glad that he coincided with him even thus far; but let us consider whether they would not operate against him in an unjust and oppressive manner. First, he might contend that these papers were not strictly official; but suppose they were, was the character of a man under accusation to be weighed down even by official papers? Look at the common judicial proceedings of the country, with which every person must be more or less acquainted; would it be endured that the general opinion should be stated as a ground of crimination against a person on trial? Nay, would not the publication of any thing like this against his character be a reason for putting off the trial, instead of being admitted as evidence before a jury? Now to apply this to the present case; whose opinions were they calling for? Those of the court of directors. But they, by law, could only communicate their opinions to the board of control; though, certainly, he did not mean to say that this was a good law.—This, however, was at present the only way in which they could give their opinion; and when they were obliged to sign a thing which they strongly disapproved, their only remedy was that which was open to all in such a situation, namely, an application to parliament. But, besides, what were these directors? They were the persons supposed to be most conversant with the affairs of India; and, both on account of their knowledge of the subject, and their respectability as a body, justly considered as a high authority.—So much the worse. The higher their authority, so much the worse would it be to produce these papers when a man is under accusation. This was so clear, on every well founded principle of jurisprudence, that he was amazed that it could escape the attention of any person, nor could he except in particular circumstances. Now, in this case, there were some particular circumstances. The first was, the anomalous situation of the directors—they were bound to execute the commands of others. In every other department, when any thing was proposed to a person which appeared to him of the most mischievous tendency, he might refuse to sign it; but they were by law bound to sign, whether they approved or not, and their condition was more anomalous than that of any class of men in Europe, even under the most despotic government. In the most absolute state in Europe, perhaps, the king has been unable to find any minister about him, who would countersign his own order, and he was under the necessity of sending for a minister from a distance to do it. But the directors could never refuse to sign any thing offered to them by the board of control. The only remedy they had, when they found that the board of control insisted upon measures which to them appeared of the most dangerous tendency,

dency, was to come and state their case to the house. Last session, a motion was made for a letter of the secret committee, which could properly be considered only as a letter of the board of control. It was fairly moved for, because an individual, when his conduct was called in question, might justly enough call for such documents as showed the subsequent approbation of his superiors—he said, of his superiors, because, though you (the directors) remonstrated with the board of control, you did not, it seems, think the matter of sufficient importance to come to the house and state your case; which, if you were aggrieved, was a plain and obvious course for you to pursue. Another point was, that the directors probably wished to defend themselves. This was not the stage for that. When the affair of the marquis Wellesley was decided upon, and when the papers now called for could have no influence on his case, then they might fairly be moved for. But it would be an intolerable hardship to an accused person, if you could say that you did not call for such papers to injure him, but to defend your own characters. The answer would be, that he had a great regard for your characters, but, in defending them, you were not entitled to injure him. There was another point to be considered. If the actions of lord Wellesley were such as they were represented to be, then the papers would operate against the board of control, and their influence would be increased when it was found that the board had rejected the better counsel of the directors. But, till the conduct of that board came under consideration, the papers ought not to be produced. Nothing at present would be lost in point of information; and though these papers might be useful at another period, they could just now be attended but with the most injurious effects.—Though it was not very usual to move the previous question on motions for papers, yet, as there was nothing in the forms of the house to prevent it, he would move it in the present instance.

The question being then put,

Mr. Johnstone said, that the degree of astonishment under which he rose to present himself to the house, after what had just fallen from the right honourable secretary of state, scarcely left him the power of utterance. When that right honourable gentleman and his friends were on that side of the house, where they were so long in the habit of sitting, he always understood them to be not only the warm friends, but the loud and strenuous advocates for investigation on Indian affairs. They had repeatedly asserted and urged, that unless a thorough and minute inquiry into the whole system was speedily adopted, India must be inevitably lost to this country; but now that they had changed places, they, it seemed, had totally altered their opinions also, and deprecated inquiry as useless and unnecessary. The only argument in which he could agree with the right honourable gentleman was, that justice should not be violated; and if he could conceive that any such violation was likely to result from the production of the papers in question, he should be one of the last men to urge it: but seeing no such cause of apprehension, he could not conceive why the house, in proceeding to an inquiry of so much importance, should debar itself from seeing what was the opinion of the court of directors and of the board of con-

trol on the subject of Indian affairs. Those were the officers to whom the government of India was intrusted, and surely their opinions it must be extremely important for the house to know. After the repeated assurances given to the house by the friends of the noble lord of their readiness to give, upon every subject connected with his conduct, the fullest information to the house, the refusal in this instance was a strong reflection upon the character of that noble lord, and upon the conduct of the right honourable gentleman. If the noble lord's conduct was pure and unsullied, he could have nothing to fear from the production of these, or of any other opinions. He himself really had no idea that the noble lord was guilty of any intentional criminality, though it was possible he might have fallen into errors but too incident to men in great power, by making an improper use of that power, and this was really the utmost he meant to impute to the noble lord. But if differences of opinion had existed between the court of directors and the board of control upon this subject, he owned that it was somewhat singular that the India company and the public should be put in possession of those differences, and parliament alone kept in the dark. In short, conceiving as he did, that the house, by being possessed of those papers, would have a much more accurate knowledge of the existing state of India, and of course be better capacitated to discuss the subject, he should persist in supporting the noble lord's motion.

Mr. Hiley Addington declared, that nothing ever surprised him more than the astonishment expressed by the honourable member, in rising to answer the speech of his right honourable friend near him (Mr. Fox); and in the whole of what had fallen from that right honourable gentleman, his own opinion so fully coincided, that he felt it unnecessary to add any thing further upon points so ably and so eloquently elucidated. The noble lord who brought forward this motion had professed, that he had no intention thereby to criminate the conduct of marquis Wellesley. He was willing to give the noble lord full credit for sincerity in his declaration; but yet he thought it was impossible, if those papers were produced, but that they must give rise to opinions injurious to his character, and strongly tend to excite prejudices against him. The document alluded to certainly was laid upon the table of the court of proprietors, by an honourable gentleman who conceived it to be a confidential communication. It had, by some underhand means, he understood, found its way into print; and it contained a series of opinions in condemnation of the conduct of lord Wellesley, from the time he first set foot in India, upon a variety of points totally unconnected with the matters now in charge, and consequently irrelevant, and going only to excite general prejudice, in order to influence any decision that might take place upon the particular points in question.

Mr. R. Thornton said, that the house, in refusing to comply with the noble lord's motion, would voluntarily shut its own eyes, and keep itself in darkness and ignorance, when the fullest information was absolutely necessary. If he had been heretofore backward in moving to bring those documents forth, it was not because he thought them unimportant or unnecessary, but in deference to the opinion of the

the right honourable secretary, the weight of whose talents and influence he understood would be against him. But now that the motion was brought before the house, it placed him in quite a different situation. The embarrassed state of the company's affairs, in consequence of the wars in India, was well known to the house. It was equally well known, that differences of opinion had long subsisted between the court of directors and the board of control, respecting Indian affairs; and that the directions forwarded to India by the court of directors had not been obeyed. But when the house was told that the Indian system was to be reformed, that the board of control was to be changed, and that an entirely new system was to be adopted, was it not important that the house should be put in possession of the opinions of the court of directors, as to what were the errors of the former system, in order to judge how India ought to be governed? Was it not of high importance that a declaration on this subject, signed by twenty-nine independent men out of the thirty appointed under an act of parliament for the direction of Indian affairs, should be in possession of the house, in order to its guidance on proceeding upon so important a topic? The affairs of India, both at home and abroad, had become extremely embarrassed, and those embarrassments might ultimately come home with claims upon that house. Without any feeling of private animosity to the marquis Wellesley, for the sake of truth and justice, he thought the paper moved for ought to be before the house; for this was a question upon which, as had been said upon a late glorious occasion, "England expects that every man should do his duty."

After a long and desultory debate, Mr Fox's motion was carried; but several other papers were afterwards ordered on the motion of Mr. Pole.

On the following day Mr. Paull rose, in pursuance of the notice which he had previously given. He should barely state the heads of the charges he meant to bring forward, and the manner in which he meant to proceed in following them up.—It might possibly be asked of him, why he had volunteered in this business? or why he had not left it to the discussion of the India directors themselves, to have instituted proceedings, as being the parties to whom that duty most properly belonged? To this he would answer, That finding the India directors, to some of whom he had applied on the subject, averse to urge any proceeding, he certainly did volunteer; and more especially in the case of the nabob of Ferruckabad, because he was intimately acquainted, from his own knowledge, with the whole of the circumstances, and therefore felt it his duty to bring the matter forward. Before he had determined so to do, he had applied to that body, whose treasures the noble marquis had so profusely squandered, whose orders he had so uniformly transgressed, and whose authority he had so totally disregarded; but they had declined the proceeding. Since he had given notice of his intention to bring forward the accusation, and evinced his determination to follow up his purpose, the court of directors were so sensible of the criminality of that noble lord, that they had drawn up an indictment against him, abounding with charges of the most criminal and flagitious nature, and in terms as strong as ever were submitted to the decision of a court of criminal judicature. For the manner in which the

charge was drawn up, he must beg leave to apologize, and to appeal to the indulgence of the house. He had much difficulty in obtaining the documents upon which the charges were founded. Scarcely known as he was to the house, and unaided by any support or influence that could tend to facilitate his purpose, he felt it equally difficult to shape his charges from such documents as he had been able to procure, not having applied for any professional aid upon the occasion. In the course he had adopted, he had endeavoured, to the best of his judgment, to found himself on the precedent of Mr. Hastings's case. The honourable member then proceeded to read from a written paper the several heads of charges against marquis Wellesley. The statement commenced with recapitulating the appointment of the noble marquis to the chief government of Bengal, about the middle of October 1797, as successor to marquis Cornwallis, and that he reached the seat of his government in May 1798, in which he continued until he was superseded by the marquis Cornwallis's reappointment to the government in August 1805; and that the said marquis Wellesley, though he was solemnly sworn to obey the instructions of his employers, and do every thing in his power, and to the best of his judgement, to promote and support their just and lawful interests in India; yet, instead of so doing, on his arrival in India he disregarded their authority, disobeyed their instructions, assumed to himself a despotic power, turned his back upon the true interests of the company, and did, without their permission, and contrary to their instructions, for the gratification of his own caprice, with the most flagitious profusion, and for corrupt purposes, squander the money of the said company to an enormous extent. The result of this was, that the debt of the company, which on the accession of the marquis Wellesley to the Indian government in 1798 stood at 11,033,648*l.*, was on his departure from that government in 1805 increased to above 31,000,000*l.* That, when marquis Wellesley first arrived in India, every part of the company's affairs wore an aspect of prosperity: it had, therefore, only remained for him to have acted with an ordinary vigilance, and to have followed the example and the system of his noble predecessor, the marquis Cornwallis. Instead of which, the said marquis Wellesley, by wantonly and profusely increasing the public expenditure, did not only squander all the ordinary means in his hands, but all the additional money he was able to raise by loans and additional taxes, supporting a wanton and profuse style of living, unparalleled in the case of any former chief governor of that country, insomuch that he was driven by his extravagance to attempt the selling of the imposts upon the lands of Bengal; and he so much embarrassed the finances and affairs of the company, as to endanger the loss of their territory. The statement next proceeded to recapitulate the contents of the letter received by the court of directors from the marquis Cornwallis, dated in August 1805, when sent out to India for the purpose of superseding marquis Wellesley; in which he gives a deplorable statement of the company's affairs, arising entirely from the profuseness of his predecessor, in squandering the resources of the company, one branch of which was his keeping up unnecessarily an army of irregular troops, at an enormous expense, which the marquis

Cornwall

Cornwallis found it absolutely necessary to disband, in order to avoid losing the means of defraying the charges indispensable for the maintenance of the regular army. Having gone through many other items on the letter of marquis Cornwallis, the statement next alluded to the war, that broke out in the month of March 1799, with Tippoo Sultan, which ended with the taking of Seringapatam and the death of that tyrant; that the consequence of that war was, that enormous sums of money were extorted by order of marquis Wellesley from the nabobs of Oude, Arcot, Ferruckabad, and some others: after which commenced the Mahratta war, in 1804, which was terminated in the course of the year; and so far from the expenses of those wars being the cause of those embarrassments of the company's affairs already stated, it appeared, from letters of lord Wellesley himself to the court of directors, that, by the treaty of Hyderabad, the annual revenues in the provinces that then became tributary increased their income above 544,000*l.* a-year. That, therefore, not wars, but the unexampled prodigality and wanton profusion of the marquis were the true causes of the embarrassment of the company's affairs; a profusion and extravagance engaged in with the most sinister, vicious, and corrupt views, and in defiance of the authority, and contempt of the orders, of his employers.—The embarrassment partly arose from new modelling the criminal courts of Bengal; from increasing wantonly and unnecessarily the number of their officers, and giving large salaries to his friends and favourites; in the expenditure of an enormous sum for the establishment of packets, and granting large salaries and sinecures to his followers (amongst which was the grant of 1500*l.* a-year to sir William Burroughs), amounting altogether to the sum of 1,300,000*l.*; the erection of a college at Fort William, without the authority of the company, which cost 181,689*l.*; an unnecessary journey of the noble marquis, in 1801, to the upper provinces, in which the most extravagant expenditure took place, one item of which was for 1100 boats, and the whole charge 30,000*l.* There was a charge also of 220,000*l.* for the erecting and fitting up a palace for the residence of the marquis, which was decorated in a style of splendour unparalleled even among eastern princes. There was a charge for a house and garden for the noble marquis at Bhurtpore, 15,000*l.* Besides all this, there was a charge for reviving a body-guard of cavalry, which had been put down by sir John Shore, who, on a principle of œconomy, was satisfied to be attended on state occasions by a party of the garrison, commanded by a captain: but marquis Wellesley resolved to revive this body, and to increase his own splendour; and it was maintained, for the first five years, at an annual expense of 40,800*l.*; and for the whole period, including for horses, accoutrements, and outfit, the sum of 240,000*l.* There was also a large sum advanced by the marquis for building a town-house for the citizens of Calcutta, the cost of which was afterwards to be reimbursed by them in such subscriptions as could be obtained within four years; a statue of lord Cornwallis was designed to be erected in the town-house; instead of which, it was thrown amongst the rubbish in the vaults under the building, and an expensive statue of

lord Wellesley erected in its place, —and this at a time when an arrear of five months pay was due to the troops. The next charge against him was, the appointment of his brother, the honourable Henry Wellesley, in 1801, to the government of Oude, with the title of governor and commander in chief, and at an expense, in thirteen months, of about 26,000*l.*, which exceeded the annual allowance of the company to the governor-general. He arbitrarily maintained in his own hands, to the exclusion of all authority or interference from the court, to the amount of 628,206*l.* per annum; and under the influence which such a patronage enabled him to exert, he procured addresses from every part of the country, in approbation of his justice, conduct, and services: and further, although the trade laws of the country strictly forbade him to accept any money from the people of the country, in consideration of his official authority, yet he received for the luxuries of the table, and other purposes of his own private gratification, no less a sum than 120,000*l.*; and while he was thus misapplying such enormous sums of the company's property to the most corrupt and profligate purposes, and for the maintenance of his household and establishment in the most gorgeous style of splendour and profusion; he was supporting those extravagancies by loans borrowed in the name of the company, nominally at an interest of 12*l.* per cent., but, from the manner in which they were raised, at a real interest of 16*l.* per cent. Throughout he had set at nought the authority of his employers, and acted in direct opposition to his instructions. Mr. Paull concluded his statement by saying, he had read it as part of his speech, and should now move that it be ordered to lie on the table.

Upon the suggestion of the speaker, he moved that the title of the charges be read by the clerk; which being done, he moved that the charges be printed; which was accordingly ordered.

Mr. Sheridan, however, in the course of the evening said, he should hereafter move that the order for printing be rescinded. This on the 23d he proceeded to perform, because it could not, in his mind, nor in the mind of any fair reflecting man, be consistent with justice, that a charge against that noble lord, or any other person, should be published to the world under the authority of that house, merely upon the allegation of guilt, unaccompanied by any proof whatever. The honourable gentleman had moved for volumes of papers respecting the conduct of the marquis of Wellesley, most of which were already on the table; yet he chose to overlook all these papers, and to bring forward the charge before the house, with regard to which, not one document was to be found on the table, or was ever moved for. This motion, after some debate, was put and carried.

Many other motions and consequent debates on this subject took place between this period and the 28th of May; when Mr. Paull presented his charge of high crimes and misdemeanours against the marquis Wellesley, on account of the transactions in Oude. Of this charge the following is a summary:—After the usual allegations, that marquis Wellesley had been governor-general of India, and captain-general of the forces, during a certain period, it went to

state

state that Oude was a territory of Bengal, equal in extent to England and Wales; that Lucknow, the capital, was equal in extent to London and Westminster; and that the population of the country was about six millions. That the nabob of Oude was a very considerable sovereign, having a military force of 30,000 foot and 15,000 horse, with a splendid retinue of men, elephants, and every thing in the highest style of eastern magnificence. That the principality of Oude, before the spoliation of the marquis Wellesley, abounded in valuable commodities and manufactures, and yielded a very large revenue. That the taxes there were collected after the Indian manner, the nabob employing some of the highest officers of his court, who employed the zemindars, who collected the tax from the ryots or peasants, who had nothing that could properly be called property, and to whom only the means of subsistence were left. The charge then proceeded to state the various treaties that had been concluded with the nabob of Oude. That in 1784 an act had been passed, asserting the impolicy of further conquests with a view to extend our dominions in India; and forbidding any future governor to engage in any hostilities with the native princes, except upon an attack on their part, without the knowledge and authority of the council and the directors, or to guaranty the territories of any prince, except he assisted in repelling an attack as above mentioned; and commanding that the earliest possible information should be given to the directors, and India board, of any hostilities which might unavoidably be commenced. That the act of 1773 provided that the council of Fort William, in Bengal, should be consulted, and its suggestions attended to, in the political transactions of India. That nevertheless marquis Wellesley did conceive the idea of encroaching upon the power of the nabob of Oude; of undermining his authority, and destroying his government; and, under foul and false pretences, of extorting from him his hereditary dominions; and had acted upon this idea both without the knowledge of the council, and without any communication with the government at home. That the means which the marquis Wellesley employed to accomplish his object were, unfounded complaints respecting the failure of the nabob in the payment of the instalments; applications to him to disband his troops; and various expedients to render the subjects of the said nabob disgusted with his government, and to encourage them to opposition and revolt; pouring troops into his territories, and thus causing an enormous expense; heaping demand upon demand, till the revenue of the principality was no longer adequate to satisfy them; and then forcing the nabob to give up one half of his territories: transactions so foul and wicked, that they brought disgrace upon the British name. And that for the purpose of carrying these schemes into execution, he had removed the former resident at the court of Lucknow, and appointed a Mr. Scott in his stead, who appeared more fit for his designs. That with respect to the payment of the instalments, the sum which the nabob had to pay had been augmented from 305,000*l.* to 950,000*l.*; that notwithstanding the difficulties to which he had been thus reduced, the nabob did nevertheless

theless punctually pay his instalments, and adhere to the stipulations of the treaty; and that the pretensions of the marquis Wellesley were false and unfounded, and only brought forward with a view to seize upon the territories of the said nabob, in defiance of justice and of the law, which marquis Wellesley ought to have obeyed. As to disbanding the troops; that the nabob had, by treaty, the full authority over his own troops, his household, and government. That though, in consequence of the difficulties of his situation, he was in arrears to the company, yet the secret committee were satisfied that he was fully disposed to pay, and that all causes of complaint would be removed. Yet that the said marquis Wellesley did, by means of the said William Scott, interfere in the household and internal concerns of the nabob, and propose such terms of reduction as would leave him no troops to command, no authority to exercise. That he sent large bodies of the company's troops into the territories of the nabob, who was then almost a prisoner in his own capital, to induce him to resign his authority, give up the whole administration and revenue of Oude, thus to disinherit his sons and his family for ever, and reside in any place where the governor-general might appoint. That the nabob, astonished at such an arrogant and unjust proposition, strenuously refused to accede to it. The charge then proceeded with the means which the marquis Wellesley had used, with the assistance of Mr. Scott, to render the nabob and his government odious to his subjects, by surreptitiously seizing upon propositions which the distress of his situation had compelled the nabob to make, and publishing them to the principal persons at Lucknow. It stated that fraudulent estimates had been given in of the expense of the troops, and that when the demand was made for payment, the nabob said, in the bitterness of his heart, that they deprived him of the means of collecting his revenue, and then demanded payment of money. That in consequence of this failure, marquis Wellesley, with the assistance of his brother, Henry Wellesley, seized upon the one-half of the nabob's territories, and employed every kind of menace to force him to give up the whole. That the nabob, after every means had been exhausted against him, and even his life put in danger, still refused the cession. That the marquis Wellesley augmented the revenue of the half which he had seized to double what it was before, and had deprived the husbandman even of themeans of existence,—so that the ryots rebelled,—and thus what was begun in injustice and oppression was finished in violence and murder. That the marquis Wellesley, in order to cut off all hopes of redress, always asserted, that in this conduct he was sanctioned by the British government; and thus he had brought disgrace and dishonour upon the British name. Mr. Paull concluded by observing, that a more important business than this had never come before the house. He moved therefore that the charge should be printed.

Mr. W. Keene was glad the charge had been brought forward; but it must be remembered that the situation of princes in India did not resemble that of the European princes, whose territories were guarantied in order to preserve the balance of Europe. There was no power in India but the power of

the sword. The changes of governments, or of sovereigns, there, were not to be regarded with the same feelings as those which happened in Europe.

Mr. Francis said, he was afraid that it was too true there was no power in India but the power of the sword, and that was the British sword, and no other. These princes held their sovereignty in consequence of the dissolution of the Mogul empire ever since the year 1740. But whatever might be the original right of these princes, they had been acknowledged by us; to deprive them, therefore, of their territories was, in the first place, a violation of justice itself; and in the next place, an infringement of the orders of this house; and therefore he hoped we should go to the discussion of this question, with the conviction that the rights of the Indian princes were founded on justice, and the authority of this house.

Mr. Fox observed, that if the hon. gentleman thought that the Indian princes were not entitled, at our hands, to the same justice as other independent sovereigns, he hoped that the number in this house who agreed with him were but small. There was no proposition more universal than this, that you acknowledged the right of a sovereign with whom you treated. But if ever there was one case where the breach of treaty ought to occasion more indignation than in another, it was where there was no power but the power of the sword, especially in India, where, as has been stated, that sword was the British sword. If ever there could be a case where a breach of treaty could be defended, it was only in support of the weak against the strong. But in India the British ought to be bound by their compacts the more closely, the more it was in their power to break them. This he hoped and believed would be the general sentiment of the house. The charge was ordered to be printed.

Lord Temple on the 3d of June rose for the purpose of moving a specific day, for taking into consideration the charges of high crimes and misdemeanours against the marquis Wellesley, laid upon the table by an hon. member on the 28th of last month. He hoped it would not be necessary for him to preface his motion by observations to any great length. But as the hon. member who had brought forward those charges, had named no particular day for moving the house to their consideration—feeling as he did the nature and importance of those charges to be such as called for their full investigation with the least possible delay—he now rose for that purpose. Gentlemen who had looked into those charges, must have felt them to be of the most weighty nature. They directly imputed to lord Wellesley, not only every species of public delinquency that could brand the character of a public officer, but every charge of private depravity that could stain the personal reputation of an individual. He had no doubt that the hon. gentleman who brought forward those charges had done so under a self-persuasion of their truth, and a belief that he should be able to substantiate them in evidence. But the hon. gentleman must allow that, notwithstanding the strength of his own persuasion upon the subject, it was still possible the noble lord might possess a confidence in his own innocence, superior to every accusation of such

such a nature, and must feel extremely impatient for the opportunity of his own vindication, more especially when those charges included one of a nature more atrocious than all the rest, and such a one as called for the most immediate investigation, namely, the charge of a foul, deliberate, and cruel murther. In this charge was also included another person, not a member of either house of parliament, on whose account also much anxiety must be felt, though he had not the honour even of a slight personal acquaintance with him, namely, Mr. Henry Wellesley. But, from the nature of the charges altogether, and more especially the last, it became absolutely necessary that an early investigation should now take place. If the hon. gentleman had named any day for such an inquiry, it would not be his wish to take it out of his hands: for the present, however, he should move, "That the house do, on to-morrow fortnight, take into its consideration the charges of high crimes and misdemeanours, laid on their table, against Richard marquis Wellesley, on the 28th ult., concerning the affair of Oude."

Mr. Paull adverted to the precedent of Mr. Burke's proceedings against governor Hastings, and said, that that right hon. gentleman, after five years deliberation and repeated motions, had, upon the 4th April, 1786, laid on the table seven articles of charge against Mr. Hastings; on the 12th of April, he laid four more; and on the 7th of May, three more: and notwithstanding the right hon. gentleman had taken five years to deliberate upon his purpose; that he had the benefit of the reports of the secret committee, of various papers he moved for, and of evidence examined at the bar for the proof of his charges; yet it was not in less than six weeks afterwards, that he moved the house to any proceeding upon those charges. Now he had given notice only the preceding day that he had witnesses to examine, and had also moved for a number of papers, many of which were absolutely necessary in support of the charges alluded to by the noble lord. Let those witnesses be examined at the bar; let those papers be produced in proper time, and he should not have the smallest objection to proceed to the investigation on the day proposed. With respect to the charge of murther, alluded to by the noble lord, it was a general charge, and only mentioned amongst others, with a hope that, upon substantiating the preceding charges, he would be allowed to bring a supplementary charge upon that distinct head; and he would be ready to go into the proofs upon that point the next day, if the others were gone through.

Lord Archibald Hamilton could not let pass some expressions which had fallen from the noble lord, without making some observations upon them. The noble lord had complained that the charges of the hon. gentleman went to impeach the private character of lord Wellesley for acts merely of public and official conduct, and that he had applied to the noble marquis personally every atrocious epithet of tyranny, cruelty, oppression, plunder, and even of murther, for acts done in his public and official situation. But he must conceive it impossible, that such could have been the purpose of the hon. gentleman; and as to the charge of murther, he did not conceive it to be put by the hon. gentleman in

the way it was imputed. But really, if in bringing forward charges such as those now on the table of the house, and every tittle of which his lordship conceived to be warranted by the documents already brought forward in support of them, a member was to be restrained in the use of such language and such epithets as were usual in expressing opinions, extremely natural to his feelings, upon such circumstances as those charged, lest the private character of the party accused should be supposed to be implicated in his public conduct, it would be impossible for any man to devise a becoming language for bringing before that house criminal charges against public delinquency in any man.

Sir John Newport expressed some surprise, how the noble lord who spoke last, if he had read the charges upon the table, could so far mistake that particular charge which related to murther, as to say the crime was not roundly and specifically charged against the noble marquis, in conjunction with others. The hon. baronet here read an extract from the charge, which stated, that the said marquis, in conjunction with Richard Wellesley, had, with numbers of armed men, surrounded the mansions of certain zemindars and rajahs, the subjects of the nabob of Oude, and within his dominions; and did attack, slay, and destroy several of the rajah's said zemindars, and their attendants and adherents, and did sack and plunder their said mansions of their property; thus completing the measure of his oppression and tyranny, by a foul, deliberate, wanton, and cruel murther. If this, then, was not a charge of murther, couched in as strong words as had ever appeared in the language of an indictment, he was at a loss to conceive what words could describe it more strongly.

Sir Arthur Wellesley rose, to express some surprise at the declaration made by the noble lord who spoke last but one; namely, that he thought the charges against the noble marquis, his relation, borne out by the documents already laid upon the table; and more especially, as the noble lord's hon. friend (Mr. Paull) had said, only the moment before, that he could not sustain those charges without several other documents which he had moved for; and also the examination of several witnesses at the bar. It was very extraordinary, therefore, that the noble lord should pronounce so decidedly upon the truth of charges (which however remained to be proved), that his hon. friend who brought them forward declared he was not able to sustain without much more evidence. With respect to the charge of murther, however, it was one of too foul and atrocious a nature to be suffered to go forth unexplained, or remain as a stain upon the character of his noble relation, without placing the circumstances upon which it was founded in a proper point of view. There were certain officers, called zemindars and rajahs, resident in that part of the nabob's territory which was ceded to the company in 1801, and rendered liable to pay certain tributes, in the way of land-tax, upon that territory annually to the company. The first year's tribute they did pay, he believed, regularly; and the regulations of the company, which were the laws of the country, were promulgated and established in that territory; but upon the second payment being required, instead of complying with the law, they

they combined to resist it: they assembled together their armed forces under the chief command of an officer named Amas Ali Khan; they retired to their forts; they set the laws at defiance; they refused to pay any tribute; and it was found necessary by the governor-general, in support of the laws, to reduce those men by force. So formidable were they, that it required the whole of the Bengal army, with the commander in chief at their head, to effect this service. They were attacked in their forts, and in the course of their obstinate resistance some persons fell; some blood was spilt; and this was what the hon. gentleman imputed to the noble marquis as a murther. It was an act of public power done in support of the laws of the country, like what would have been done against any class of British subjects in similar resistance to the laws passed by that house; and the house would judge how far it was just to describe such a measure by the epithet of murther.

Lord Temple's motion was, after some other conversation, put and carried. The charges were at length brought, and several witnesses were on different points examined, and here the business ended. The only subject remaining for us to notice on Indian affairs, was that of the East India annual accounts, which on the 10th of July were referred to a committee of the whole house: when

Lord Morpeth observed, that the present was a subject which, he conceived, must at all times involve considerations of the highest importance, and at no time more so than at the present moment, when every thing connected with India was, from peculiar circumstances, more than commonly interesting. The financial system, as the vital principle which animated the whole, was therefore at present entitled to particular attention. He should endeavour to make the house as fully acquainted on this subject as he could, by submitting to them the leading features of the accounts on the table, by which the situation of the company's affairs, both home and foreign, the revenue and expenditure, debts and assets for the last three years, might be compared with the three years preceding; and the general result might be easily drawn, and the debt of the company at the latest period to which it could be made up, and the rates of interest payable on it, both at home and in India, would at once be seen. His lordship then went over the results of the different accounts; which having finished, he said, he did not think he went too far, when he said, that, in his opinion, the deficiency or excess charge could not be taken at less than 3,000,000*l.* The debts bearing interest in India he was aware there might be danger of having called in, though the directors had the power of protracting the payment for some time. Should this be the case, some extraordinary means might be necessary to be resorted to; but of this there was no immediate appearance. It might be expected that he should be able to give some account of the measures proposed to be adopted, for reducing the expenditure in India. It was well known that government had lately been pretty much employed in devising measures of reform in the public expenditure; but it was deemed more expedient to wait till it was seen how far any schemes of the kind were practicable, before they should be gone into as to India.

dia. It would be the duty of the commissioners for Indian affairs, to call the attention of parliament to this subject, at as early a period as possible. It was not his intention to trouble the committee on the subject of the treaties with Scindia or Holkar, nor did he think himself even called on to give any opinion on that subject. He knew it was the opinion of others, that these treaties were honourable to the British character, and calculated to preserve pacific dispositions in India. On the whole, though he admitted that the financial department in India did not wear the most cheerful aspect, and although he would be the last person in the world to raise sanguine hopes which were not likely to be realised, still he thought it would be wrong to give any sanction to unmanly despondency. Our resources in the east were great, and, by proper management and œconomy, might still be brought to answer our highest expectations. He did not speak of that œconomy which would teach us to withhold a reward from merit, or to retrench in the becoming grandeur of the executive government—œconomy which only tended to defeat the objects which it had in view—but that œconomy which would teach us to act on principles of moderation, justice and equity. His lordship concluded by moving his first resolution, showing the revenue of the company for the years 1802-3-4. On the question being put,

Mr. Johnstone expressed the high satisfaction which he felt at the fair and candid manner in which the noble lord had made his statement. In looking at the accounts, which were as full and distinct as could well be expected, he could not help remarking, that though the period to which they applied was a period of war, a great part of the increase was for civil charges. In the first year there was an increase of 65,000*l.* in the civil department above the year preceding; in the second year, an increase of 96,000*l.*; and in the third year, an increase of 123,000*l.*: and he thought, without withholding any due reward from meritorious services to the company, the expenses in the civil establishment might be greatly reduced. He hoped, with the noble lord, that we should always observe moderation and good faith in our conduct with the neighbouring states: but what concern that could have in diminishing our expenses, he could not conceive; and as to splendour in the representation of the executive government being necessary in India, that he denied. It might be necessary in Europe; but in India, so far from contributing to the stability our government, it would rather tend to degrade it into a copy of the native governments of the country. As to the treaties being subject to be differently regarded by different persons, surely the noble lord did not mean this as a censure. He, for one, at least, and he knew the East India company, regarded them in a very different light. If they renounced territory which we held, they renounced what it was not proper we should possess. The honourable person who concluded those treaties was, unquestionably, the most proper hand to have carried his own plans into execution. Under that feeling, the honourable member could not help remarking on the circumstances under which he had been recalled, to which he begged leave to call the attention of the committee and of the country.

Immediately

Immediately after the news of lord Cornwallis's death reached this country, on the 26th of February, ministers recommended to the court of directors to confirm sir G. Barlow as governor-general of India. In twelve days thereafter, however, namely on the 8th of March, they tell them that it is necessary he should be recalled. The directors are then desired to appoint a certain nobleman in his room, which on the 24th of May they refuse to do by a majority of twelve to four; and on the 28th ministers proceed to vacate the office by the intervention of the sign manual. What had since occurred it was not necessary for him to state; but it had been seen that yesterday another lord had been sworn into the office. He admitted that, by the letter of the law, ministers, were warranted in recommending to his majesty such an exercise of the prerogative, but contended it was a discretion which was meant to be exercised only in extreme cases, and could be only compared to that extraordinary prerogative by which his majesty might dismiss a military officer. As a proof of this, it had never been exercised, except on the present occasion, for the 24 years it had existed. He contended there never was an exercise of a prerogative more unjust and more wanton. He proceeded to consider the different reasons which had been assigned for this step, for which he argued that not only no necessity had been shown, but that it was unwise and impolitic. Holkar had territories to be restored to him at the distance of eighteen months; and it must have been infinitely more satisfactory to the other contracting party, if the same person who concluded the treaty with him had been allowed to carry it into complete effect.

Lord Henry Petty replied to the observations of the honourable gentleman, who had not, he presumed to say, read the act of 1784 with attention, or he would have seen that the interpretation which he and others attempted to put upon it was unfounded. For in the same clause in which the power of recalling a governor was vested in the directors, it was also vested in his majesty and council; but this seemed to have been overlooked by the honourable member, who condemned the exercise of a power which was necessary to maintain the pre-eminence of the present state. That honourable member would have a dependent state governed without being subject to control, and yet his brain was unwilling to admit paradoxes. It was asserted by the honourable member that this power of recall was quite new and extraordinary, and that it never had been exercised before since 1784; but it seemed to be forgotten, that the same power had been before exercised by the directors. Yet it excited no complaint. But when his majesty ventured to use his undoubted prerogative, some gentlemen appeared to be anxious to raise a clamour against it, and truly because ministers thought proper to appoint a man of their own choice. But was any thing more natural than that the administration of the sovereign's government should choose a governor for any of the dependencies, in whom they could confide? Were they not by the statute of 1784 armed with that power? and did not their duty call upon them for the exercise of it? They were as responsible for the government of India, as for that of Ireland;

Ireland; and it would be as just to interfere with their appointment of a viceroy for the one, as with that of a governor for the other. The governor whose appointment had just taken place for India would, he was persuaded, afford general satisfaction, and this persuasion rested upon the belief that the noble lord would carry out with him to India those principles of moderation, economy, and a strict adherence to treaties, which the house had heard so distinctly laid down by his noble friend who opened the debate, and which formed the firmest basis of every good government.

Lord Castlereagh maintained, that the tendency of the revenues of India was to augment in the manner and proportion which he had described to the house, and that his predictions were falsified by events upon which it was impossible for any man to calculate, namely, by wars which he had not in his contemplation when he made the statement to which the noble lord on the treasury-bench referred. The noble lord vindicated the grounds upon which the late war in India was commenced, the manner in which it was conducted by marquis Wellesley, and also the terms upon which it was concluded by sir G. Barlow. The removal of this deserving individual from the government of India, the noble lord condemned in the most unqualified terms.

Mr. Francis considered the India debt as not less than thirty-one millions sterling, and the annual deficiency to be 2,655,957*l.* although there was a territorial revenue of fourteen millions. Even on the sales in England from which the dividends were discharged, there appeared to be a loss of 418,540*l.* Then what was called the stock account exhibited at one view the true state of the affairs of the company; and what was the true state of this account? All they took credit for was 6,181,000*l.* and yet even this was fallacious; for out of this amount was not deducted the capital, which in every mercantile statement must be considered, and when that was subtracted, there was, in truth, a balance against them of from three to four millions. Again, they claimed upon government 4,460,000*l.* which was a manifest excess on the just demand of 2,000,000*l.* In a very short time there would be become due from the company in England 17,500,000*l.*, and what were the measures to be taken to meet this exigency, he was totally at a loss to conjecture.

Sir Arthur Wellesley, after having adverted to a variety of political subjects that had been touched on by other members, proceeded in a most elaborate speech to consider the financial state of India, the object of which was to show: (1) the real situation in which the finances of India will be in time of peace: (2) the real state of the India debt in April 1805, at the close of lord Wellesley's government, and in April 1806: and (3) to compare the debt with the assets, and shew in what manner it had been incurred. From the documents which were before the house, and to which he referred in proof of his several positions, he assumed that the total increase of revenues during lord Wellesley's administration, in different parts of India, was - - - - - 5,608,239*l.*

The revenues having
been, in 1798 - - 8,059,880*l.*
And those estimated
in future - - - - 13,668,119*l.*

The honourable member declared that notwithstanding the large amount of the debt, and the embarrassments occasioned in India, at different times, by the great demands for various services which were in progress, the company's credit had been improving from the moment of lord Wellesley's arrival in India to the moment of his departure. The general commerce of the country, he observed, is equally improved with the revenue. It appears by the public documents before the house of commons, that the commerce of India is able to supply the China market so effectually, as nearly to preclude the necessity of sending bullion to China; and that large sums in specie are now imported into India from that country.

After the view which I have taken, added the honourable member, of the general situation of the affairs of the East India company, I hope that it will be found, that their debt, although large, and certainly pressing in a very great degree upon their prosperity, and upon the attention of those who have the management of their affairs, is not of a magnitude to create any danger; that it appears there are means of reducing it at no very great distance of time, to a moderate amount; and that under the auspices of the noble lord (Morpeth), by a just system of economy which he has recommended, and by reverting to the system and scale of establishments fixed in 1802-3, with such augmentations as the change of affairs has rendered necessary, the revenues of that great empire will be found to afford ample means of restoring the finances.

After a short conversation the debate was adjourned to a future day; when it was resumed, and the resolutions moved by lord Morpeth were carried.

CHAPTER. VIII.

Funeral of Lord Nelson—Illness of Mr. Pitt—His Death—View of his Administration—Accession of Mr. Fox to Power—List of the New Administration—Peace of Presburg—Transfers of Sovereignty—Coronation of a Daughter of the King of England by Bonaparte—Advantage of the Treaty to France—Its Depression of Austria—Denunciation against Naples—Siege of Gaeta—Insurrection in Calabria—Military Tribunals there—Public Entry of Joseph Bonaparte into Naples as its Sovereign—Continuance of Atrocities in Calabria—Landing of the British Troops under Sir John Stuart—Victory of Maida—Withdrawing of the British Forces—Surrender of Gaeta—Termination of the Neapolitan War—Successes of the British Navy—Victory of Sir J. Duckworth—Engagement in the Bay of Campeachy—of the Pique Frigate and two Corvettes—of the Constance and Salamander—Enterprise of Sir Sydney Smith—of Lord Cochrane—Capture of the Marengo and Belle Poule—of four Frigates off Rochefort—Expedition to the Cape—Taking of Buenos Ayres.

THE "transcendent and heroic services" of lord Nelson, whose life was a continued career of glory concluding with the most brilliant of all naval achievements, having procured a vote of parliament

ment for bestowing public funeral honours on his remains, the procession for this purpose took place in the commencement of the present year. The spectacle was calculated at once to gratify the eye and to impress the heart. The hero was attended by heroes to his grave: accompanied by the seven sons of his sovereign, the chief nobility and gentry of the kingdom, detachments of various corps of volunteers, and immense multitudes of all classes of the community, testifying in the most striking manner gratitude for his services and regret for their loss. This grand consecration of valour and patriotism was worthy of the departed commander and of the commemorating nation. The expense which it occasioned was in fact an economical and effectual encouragement of high honour and the thirst of renown; and independently of the circumstance that such ceremonies on similar occasions appear requisite to satisfy the public sensibilities, and veil in some degree the infirmities of mortality, they may well be regarded as among the most efficient means of the defence and glory of empires.

The funeral of lord Nelson was very speedily followed by the death of Mr. Pitt. The strains of panegyric and invective which were heard on this event, in every quarter, united at least in attesting that no common character had left the world. Impartial and authentic history will at length succeed to the strife of tongues. His accessibility and industry are universally admitted. His eye was ever vigilant for the public interest, and he was incessant in the labours and duties of his office. His personal administration was free from the least taint of corruption, and his poverty, which might be referred by many to a culpable remissness or profusion, will be regarded by others as an evidence of his being above seeking power as an instrument of pecuniary emolument. His talents as an orator were of the very first description, and rendered him in every debate the boast of his friends, the admiration of his opponents, and the delight of all who could dismiss from their minds political prejudices or attachments. His voice was commanding and agreeable, his utterance in the precise medium between slowness and rapidity: to these qualities were added a luminousness of method and an uninterrupted flow of the most correct and elegant diction. Whether in the opening speech, the comprehensive reply, or the casual explanation, there were in his address a pertinence, dignity, and fluency, which rendered him always great and always impressive. The partisans of the late premier will naturally observe, that in the first period of Mr. Pitt's administration he was successfully employed in repairing the evils of the American war; in establishing and extending our commerce; in arranging our system of revenue laws; in reducing the political power of the East India company at home, and confirming its authority abroad; in maturing that plan for the liquidation of the public debt, which if adhered to must preclude the possibility of bankruptcy, and obtain the professed object of finally extinguishing its burden. The regulation of the mails, trifling as the circumstance may seem, contributed most eminently to mercantile and national convenience. The liberty of the subject received improvement from the law of libel,

passed if not immediately under his auspices, with his most express and decided approbation; and the rights of the people were supported by him in the discussions on the regency. They will remark, that the latter period of his ministry was a period of extreme turbulence and difficulty: that, when the principles of anarchy were kindled on the continent of Europe, and threatened to involve in one scene of ruin the institutions of civilized society, he exerted his mighty energies to oppose their spread: that he cut off the communication between this country and France, from which many returned tainted by the fanaticism of liberty, and zealous to make proselytes of thousands who were here but too ready to be converted. They ask with a tone of triumph, Who quelled the hydra of faction? Who prevented the successful organization of treason? Who guarantied this happy nation from the Marats and the Robespierres, from the committees of public safety, the bloody palaces, the republican marriages, the indefatigable guillotines, and the areas of carnage, of revolutionary France? Who, but that illustrious and immortal man, whose measures of security were decried as so many steps to ruin; who withdrew indeed for a time a portion of our liberties to prevent the subversion of all, and who in the most critical navigation, steered the vessel of the state with a steadiness and skill equalled only by its unprecedented danger. They add that he enlightened the nation on the subject of their political rights and duties, and instead of depriving the English people of their liberties, at length put arms into their hands to effect the preservation of them. He it was who advanced the glory of our navy to a pre-eminence of splendour unapproached in the records of nations, and who in the midst of a harassing and destructive war checked the rebellion raging in our sister kingdom, and consolidated for ever the strength of Great Britain and Ireland, by that union which must be considered as a master-piece of policy. It would ill become us to pass the limits of sobriety, and adopt that style of eulogium which would exclude all spots and failures from the subject of it. Unrestrained panegyric is often more injurious than calumnious censure, and those who admit of no faults and those who will allow no palliation are equally and highly injudicious. The deficiency, not in success, which the best plans cannot command, but in the plans themselves which attended several of Mr. Pitt's military enterprises; the high tone in which he vindicated the landing of foreign troops without the consent of parliament; the Spanish and Russian armaments, which exposed the nation to great burdens for frivolous causes, and had nearly interrupted by the horrors of war his schemes for national prosperity, together with that profuse expenditure of public money which was too certainly characteristic of his government, may perhaps justly be imputed as blemishes to his administration. After these deductions, to which undoubtedly others might be added, enough will remain to do credit to his patriotism, integrity and talents, and particularly that striking fact which might redeem a thousand political errors that amidst the convulsions of the continent and the threatened disorganization of civil society, the British nation has retained the constitution

constitution which our ancestors purchased with their blood, and that we have escaped from the crisis, a free, a prosperous, and a happy people.

The associates of Mr. Pitt in office, although several of them men of talents and business, felt his death the signal of the termination of their political power, and the way was now open for Mr. Fox's return to office, after one of the longest intervals of active and determined opposition which the history of the country records. His union with the Grenville party, which had existed almost ever since their retirement from office, appeared intimate and cordial; and although it had obliged him somewhat to lower the tone of his parliamentary hostility, and, in deference to his new associates, to touch lightly on various plans and measures in the suggestion or support of which the Grenvilles had taken an important part with Mr. Pitt, it was to him an acquisition of strength and talents, and indeed was of eminent mutual policy and advantage. Lord Grenville was commissioned by the king to make the necessary arrangements for a new administration, an appointment which gave general satisfaction. His high honour, his family connections, and his distinguished talents well qualified him to execute the trust reposed in him. Those who had viewed with some degree of apprehension the popular politics of Mr. Fox, were particularly pleased at the idea that any unfavourable tendency which might arise from them in the new character, which it was not doubted he would now fill, would meet with a counteraction in the circumspect policy of his colleagues in office. The completion of the new arrangements was a work of great difficulty. Difficulties however and, if such there were, dissensions having at length vanished, the names of the new ministers were announced in the Gazette. The cabinet ministers, eleven in number, consisted of lords Erskine, Grenville, Spencer, Fitzwilliam, Moira, Sidmouth and Ellenborough, lord Henry Petty, Mr. Fox, Mr. Windham and Mr. Grey. Lord Grenville succeeded Mr. Pitt as first lord of the treasury; and lord Henry Petty as chancellor of the exchequer. Earl Fitzwilliam was made president of the council in the room of lord Camden, and viscount Sidmouth lord privy seal, in the room of the earl of Westmoreland. Mr. Fox became secretary of the foreign office, which had been held by lord Mulgrave; general Fitzpatrick followed Mr. William Dundas as secretary of war; and Mr. Windham lord Castlereagh, in the department of war and colonies; while in the home department lord Hawkesbury was succeeded by earl Spencer. Mr. Erskine, now made a baron by the title of lord Erskine, was presented with the great seal of England, which had been held by lord Eldon. Mr. Grey was appointed first lord of the admiralty, over which lord Barham had last presided. The mastership of the ordnance, last in the possession of the earl of Chatham, was conferred on lord Moira. Mr. Sheridan succeeded Mr. Canning as treasurer of the navy; and the duke of Bedford lord Hardwicke, in the government of Ireland. Earl St. Vincent, with powers of a very superior and comprehensive description, was appointed to the

command of the channel fleet. Lords Minto and Auckland presided respectively over the boards of control and trade.

This list presented an assemblage of whatever is held by men in extraordinary regard. To rank and immense property were added an uncommon share of wit, taste, learning, and genius; a knowledge of the human mind, sought not merely in the recesses of the closet but in the varied scenes of European society. The eloquence of several of them was of a very brilliant and powerful order, and was inferior only to Mr. Pitt's. Their acquaintance with business was the result of long experience in the duties of office, or of unceasing vigilance and keen inquiry into the measures of the executive power for a series of twenty years. They possessed an attachment to popular rights mingled in the mass by a due veneration for ancient institutions, associating a wish to preserve, with the spirit of improvements. Sentiments of high honour were blended with those of conciliation and humanity: and in a period of such exigence the public were somewhat consoled for the loss they had so recently experienced, and looked with confidence to the new administration for the settlement of peace with honour, or the continuance of hostilities with glory.

From the papers laid before parliament relating to the coalition it appears that, whatever might be the merits or demerits of the general plan of the allies, those who were intrusted with the execution of it seem justly chargeable with something little less than absolute infatuation. Those who had flattered themselves with the hope of seeing an effectual stop put to the usurpation of France were completely disappointed. In the note of sir A. Paget on the causes of the inauspicious commencement of the campaign, which indeed was decisive, and speedily so, of its final event, he lays extreme stress on the Austrian general taking the field in Germany, which was ascertained rather than Italy to be intended being made by the French emperor the most important scene of military operation over which he designed to preside in person, with too small a force, and pressing into Swabia instead of remaining in Bavaria. Indeed, the circumstance of commencing operations before the arrival of the first division of Russians, as no important object was to be secured by it, seemed to evince a disposition or rather determination to engage single-handed, with the imminent danger of defeat, rather than wait for that reinforcement, which, as it was destined, so it might be supposed able, to ensure victory. Though the Austrian general was conscious of extreme inferiority to the enemy, he pushed forward as far as the Iller, and remained in that situation in the midst of extreme peril, which could be avoided only by retreat; while the archduke Charles, to oppose Massena who had only about seventy thousand men, was at the head of one hundred and ten thousand, yet availed not himself of this advantage; to these circumstances is ascribed by sir Arthur the unpropitious or rather fatal opening of military operations. And surely such an application of means to ends, such injudicious and miserable combinations, might well excite the satirical remarks of their successful

enemy,

enemy, who from his thirst of military glory, his unrivalled skill and brilliant achievements, may easily be supposed chagrined that the facility of his success should so detract from its splendour, and that he had not an adversary to contend with, over whom a victory would have better merited the name of a triumph. The alienation between the Austrian commanders is mentioned in the same dispatch, as existing to the highest degree of disgust and antipathy. This circumstance is stated as probably having prevented, on the part of general Mack, the application for reinforcements, which could well have been spared from the Italian army, and were absolutely necessary, and would perhaps have been decidedly effectual in supporting that plan of operations which Mack had adopted. The latter however can by no means be vindicated in taking the measures he did without the arrival of the requisite additions to his force, whether from the archduke or the first Russian division: and the appointment of two officers to the command of armies, engaged in a conflict for the order and happiness of political society and for the individual existence of their country, who instead of cordial esteem felt for each other only the most decided hatred, cannot be too strongly censured. The neglect of the garrison of Memmingen to join general Jellachich on his way to the Tyrol, whither he had most unaccountably been detached by general Mack, with fifteen battalions, after the junction of Bonaparte with the divisions of Marmont and Bernadotte; the neglect to burn the bridge of Vienna, which would have impeded the progress of the French for several days, a period often of decisive consequence in the operations of war, are also among the singular and unfortunate circumstances of this deplorable campaign. But the contest was in fact between vigour and weakness, which can never be of long duration whether in the cabinet or in the field: an armistice therefore soon took place which did not long precede pacification; and on the 27th of December the treaty of Presburg was signed by the plenipotentiaries of France and Austria.

By this act Austria acknowledges the annexation of Genoa to France, and the complete sovereignty of all the territories beyond the Alps which France had incorporated before the present treaty; and the city and territory of Venice, which Austria had gained by the treaties of Campo Formio and Luneville, are united for ever to the kingdom of Italy. In Germany, the elector of Bavaria and the duke of Wurtemburg are acknowledged as kings by the Austrian empéror, from whom Bavaria receives all the margraviate of Burgau and its dependencies, the principality of Eichstadt in Franconia, and that part of the territory of Passau belonging to the elector of Saltsburg, brother to the emperor, situated between Bohemia, Austria, the Danube and the Inn. Bavaria obtains, besides, the country of the Tyrol, comprehending the principalities of Brixen and Botzen, the seven lordships of the Voralberg with their dependencies, the county of Hoenembs near the lake of Constance, the county of Koningsegg bordering on the Tyrol, Rottensells on the Main; the lordships of Tettnany and Argen on the lake of Constance, and the town and territory of Lindau situated on two islands of that lake. The

five Danube towns in Swabia, known by that general designation, with their dependencies, are given to the king of Wurtemburg; and that part of the Austrian Brisgau to the east of the territory of Baden with several towns and territories in the Black Forest. To the elector of Baden is ceded the city of Constance, with that part of the Brisgau not appropriated as before mentioned, with the Ortenau and their dependencies. Austria engages to give no interruption to the occupation of Augsburg and its territory by the king of Bavaria; and of the country of Borndorff belonging to the abbey of St. Blaize by the king of Wurtemburg. In return for these cessions and recognitions the emperor of Germany and Austria acquires the county of Saltzburg and Berchtolsgaden, belonging to the archduke Ferdinand, his brother; who is to receive in consideration thereof the principality of Wurtzburg, with the electoral title transferred to it, and a promise of every effort for full and complete indemnity in Germany. He is also to enjoy the right of appointing to the dignity of grand master of the Teutonic order any prince of his family, in whose male descendants the honour shall be hereditary, together will all the revennes and domains of the order. The independence of the Helvetic and the Batavian republics is guarantied, and Bonaparte is acknowledged king of Italy, with the express provision, that beyond a certain period, limited in his original declaration on assuming the dominion of that country, the crowns of Italy and France shall be for ever separated.

The facility with which towns, cities and territories are thus transferred from one government to another, is a circumstance in this treaty which cannot but attract attention. The practice, it is true, has no claim in this instance to originality, and has ever occurred in the history of conquerors: in few cases, however, has it been carried to a greater extent than in the present. Like common moveable property, societies of human beings have been bartered away from one proprietor to another; sensible from this circumstance, probably, only of an exchange of yokes, still bound to toil for arrogant and unfeeling masters, and bend the knee to those by whom they are oppressed and despised. Mortifying, it must be undoubtedly to the friends of humanity to observe such instances of degradation, yet the arrangements adverted to may in some cases be attended with advantage: the superstitious feelings associated with submission to certain dynasties for a long series of years will be thus impaired, and gleams of civil rights and manly dignity will pervade the gloom in which intellect and energy have been so long involved. Among the changes of title referred to in this important document, and ratified by it, one circumstance, particularly, is a point of curiosity although not of moment. This is the elevation of the daughter of the king of England to a crown at the hands of Bonaparte. Among many causes of surprise which have occurred within a few years, this is not one of the least striking. The progress from small beginnings to great results, from obscurity to splendour, has rarely if ever been more effectually illustrated than by this extraordinary man, who having a few years since solicited in vain admission into the armies of England, has now attained that eminence of power

in

in which he can dispose of sceptres without interruption, and has in this instance crowned the daughter of a monarch whom he formerly requested to serve as an ensign.

The events of the campaign thus enabling him to dispose of principalities and kingdoms, Bonaparte, by the treaty of Presburg, has drawn around a considerable part of the frontiers of France, a cordon of feudatory sovereigns, who owe their elevation to his power, and are bound by gratitude and policy to his service; possessing too much collision of interest, in almost any supposable case, to combine in opposition to him, and exhibiting a mighty bulwark to break the attack of any formidable power which might be disposed or able on that side to give her molestation. His kingdom of Italy derived also, from this treaty, advantage, in territory and population, of the highest consequence, and by which he may be considered as having strengthened his iron crown with bands of steel. But, beneficial as the treaty most certainly was to Bonaparte, by these and other arragements, and triumphant as it must be admitted to have been both for the French emperor and nation, in the same proportion must we deplore the humiliation of Austria. Her losses were deplorable, if not absolutely irreparable. Her influence in the affairs of Germany was almost annihilated with her authority; and although the title of emperor of that country was permitted to remain by the treaty of Presburg, that of emperor of China would have been almost equally appropriate. Her splendid dependents, her mitred ecclesiastics, and long catalogue of princes, which formed the minor stars of her imperial constellation, were many of them for ever extinguished; and with impaired and almost destroyed influence in the west of Europe, influence which it appeared scarcely possible she should ever regain, she seemed by this treaty retrograde from the world of civilization, and likely to be shut out from all those political concerns of it, in which she had borne so commanding and pre-eminent a part for a succession of ages.

The consequences of Bonaparte's successes against Austria, were particularly unfortunate for the kingdom, or at least the government, of Naples. The government of that country had but recently entered into a treaty of peace and amity with that of France; and the permission of the Anglo-Russian army to embark at Naples with unequivocal intentions to act against the French, was considered by Bonaparte as a perfidy deserving of the severest punishment. His resolution was taken to punish so flagrant a violation of good faith, and Massena was appointed to carry his resolve into execution; but he was afterwards superseded in the principal command by the emperor's brother Joseph. The army marched in three divisions; the right commanded by general Regnier, which proceeded by Gaeta, the centre by Massena, through Capua, while the left advanced through Istria, under general Lacy. Capua was invested on the 12th of February, and on the 13th a deputation from the city waited on the prince, and signed the surrender of Gaeta, Capua, Peschari, Naples and the other forts. But it afterwards appeared that, whatever the abovementioned deputation might sign, Gaeta was in fact very far from having surrendered; and that the prince

prince of Hesse Philipstahl, having been summoned by general Regnier to capitulate, answered with becoming firmness that he intended to justify the king's confidence in him. This fortress is situated in the gulf of Gaeta; and although called an insignificant fortress by the enemy, they found it necessary at length to carry on their siege of it by accumulating their forces before it as much as possible. The activity of the governor was most distinguished. With slight intervals of rest and refreshment he was busy in the fortifications night and day, and by his exhortations and example stimulated his troops to sustain the pressure of their situation with heroism. He kept up so smart a fire on the besiegers that immense numbers of them were destroyed. Although his garrison consisted of little more than 1600 regulars, he made a sortie for the purpose of demolishing the works which had been carried on by the enemy under the fortifications. The valour with which the place was defended, and the advantages which were obtained by it over the besieging army, excited in a considerable degree the attention and admiration of Europe, and a hundred pieces of cannon with five mortars were at length brought to bear on a fortress which had so completely baffled the hope of an immediate surrender, and by detaining before it a very large part of the enemy's forces delayed the reduction of the kingdom: for the spirit which animated the governor and troops at Gaeta was by no means confined to that fortress. Even within the city of Naples evidences of disgust, or, as is was styled on the part of the new government, rebellion, began to manifest themselves, and the population of Calabria became at length fully agitated by such a hostile spirit, as led unorganized masses of peasantry to oppose the disciplined force of the conquerors of Europe. The ardour of patriotism was mingled with the thirst of vengeance. The first instances of opposition from insurgents had been punished with inexorable severity. These violent inflictions animated the spirit of opposition in the Calabrians, and increased the deadliness of their hatred. Mutual exasperations gradually led to the establishment, by the French, of military commissions at Naples and throughout the country; the constitution of which, wherever they were thought expedient, was intrusted to Massena, a man whose feelings never warred against his interest, and whose long apprenticeship to the trade of carnage, together with an original fierceness of character, rendered him a secure deposit for any bloody instructions. The proceedings of these commissions were marked by all the horrors of banishment, pillage, and summary execution, which could gratify barbarity or avarice. The kingdom of Naples, which, in the dispatches published by the Parisians, was stated to be tranquilly enjoying the bounties and blessings of the new government, and to be animated in return with the most cordial regard, was a great part of it become a scene of rapine, massacre, and devastation. The triumphant entrance of Joseph Bonaparte into his capital, to take upon himself the sovereignty of the kingdom, to which he had been appointed by his brother to the extinction of the recent dynasty, was attended by those acclamations and addresses which can always be procured by power, and will ever impose upon simplicity.

simplicity. But these external demonstrations of joy could ill conceal the real situation of his new acquisition. The invader and the patriot were still, in some parts, in determined and active hostility. The feelings of the different parties had attained the paroxysm of rage. Military tyranny, mortified and incensed at the resistance of an enemy which it despised, gave free scope to its fury in all those excesses which it has been the pride of modern warfare to have mitigated. The brave Calabrians, maddened by the infliction of such horrors on men whose crime consisted only in the defence of their country, resolved if possible to outdo them in retaliation. The disposition to an exterminating contest appeared mutual. The excess of resentment seemed to destroy every relenting of humanity, and in the weaker party all regard to the chances against their success. Impulse superseded calculation; passion imparted energy to weakness, and the want of discipline often seemed supplied by the phrensy of revenge.

This extremely unequal opposition was viewed by many with the most painful feelings of regret, from a conviction that men thus nobly distinguished by valour and perseverance, must at length bend under the yoke of usurpation. Their successes, however, would occasionally animate the gloom of this despair, and the hope was sometimes for a moment cherished, as well as the wish, that they might shake the throne of the new sovereign to its foundation. One event in particular of the Calabrian war excited this pleasing, although transient anticipation; and as it is connected with the display of British skill and valour, it would be unpardonable not to give it distinguishing notice. The Russian forces had retreated from Naples on the approach of the French, to the republic of the Seven Islands and to Corfu, where, the events of the war having prevented their exertions in their former destination, they might await the progress of hostilities and avail themselves of any opportunity of benefiting the common cause that might occur, such as they afterwards found in the preservation of Albania. The British forces had withdrawn to Sicily with the royal family of Naples. The best means were employed, however, that skill could suggest, for the defence of this island. The troops of Great Britain, the command of which had now devolved upon sir James Stuart, assisted in completing those arrangements which were thought to contribute to this purpose, and the commander extended his view at the same time to the shores of Italy, watching the progress of the war, and ready to seize any circumstances which might be available to the cause of the allies, or contribute to the glory of the British arms.

It was not long before an opportunity of this description occurred, which led to an enterprise which will form a splendid figure in the British annals. With a force of less than five thousand men general Stuart embarked from Sicily in the month of July, and landed at St. Euphemia on the opposite shore. The French general Regnier was no sooner informed of this landing than he marched his troops from his station at Reggio, collecting as he proceeded his scattered detachments, to meet the English, in full confidence of success. Having arrived within ten miles of their army, he encamped with a force which, with the addition

addition of three thousand men, who joined the night before the battle, amounted at the lowest calculation to seven thousand men, on the side of a woody hill, beneath the village of Maida, sloping into the plain of St. Euphemia. His flanks were strengthened by an impervious underwood, and the Annato, a fordable river, but the sides of which were extremely marshy, along his front. On the fourth he was approached by general Stuart in this strong position over a spacious plain, which gave him an opportunity of observing the minutest motions; and about nine o'clock in the morning, after some loose firing on both sides to cover the manœuvrings of the two armies the opposing fronts were warmly engaged, "when the prowess of the rival nations seemed fairly to be at issue before the world." The right of the advanced line consisted of lieutenant-colonel Kempt's battalion of light infantry, with the light companies of seven other regiments and one hundred and fifty chosen battalion-men under major Robinson, who were opposed by the favourite French regiment of St Legere. A few rounds were fired reciprocally by both armies at the distance of about one hundred yards; "when, as if by mutual consent, the firing was suspended, and in close compact order and awful silence they advanced towards each other till their bayonets began to close. At this momentous crisis the enemy became appalled. They broke, and endeavoured to fly. But it was too late; they were overtaken with the most dreadful slaughter." General Ackland availed himself of the opportunity to press with his brigade, which was on the left of the light infantry, upon the corps in front; which completed their dismay and disorder on the left, and covered the plain with their dead and wounded. In hope of recovering the day, the enemy made a new effort on the right, where they were received with the most undaunted firmness by general Coles's brigade, and the grenadiers and 27th regiment under lieutenant-colonels Smith and O'Callaghan. The French cavalry, repelled successively from before their front, attempted to turn their left; when lieutenant-colonel Ross, who had that morning landed at Messina with the 20th regiment and was coming up with the army during the action, by a well directed fire from his regiment, opportunely manœuvred for that purpose, totally disconcerted the attempt. This was the last feeble struggle of the enemy; who, astonished and dismayed, now precipitately retreated from the field of battle, which was covered with carnage. Seven hundred of them were buried on the spot: a general and a lieutenant-colonel were among the wounded, who amounted to above a thousand. In Monteleone and various positions between the field of battle and Reggio were stationed also above a thousand men, who speedily surrendered. The total loss to the enemy was estimated at 4000; while that on the side of the British consisted of one officer, three serjeants, forty-one rank and file killed, eleven officers, eight serjeants, two drummers, and two hundred and sixty-one rank and file wounded. It was soon however perceived that every effort, according to all human probability, would be ultimately ineffectual to expel the French from their conquest. With that prudence therefore which should always accompany and direct valour, general

neral Stuart soon after reembarked for Sicily. We may lament that this most splendid victory was attended with no permanent advantage with respect to the immediate object of it; but the impression it made of the discipline and bravery of British soldiers was of incalculable value. The pride of the enemy was mortified at seeing those of his troops most distinguished for high exploits, retiring before the bayonets of the English, and, with all their experience and reputation in arms, yielding an easy victory to a very inferior force. The honours were here tarnished which had been acquired at Lodi and Arcola, at Marengo and Austerlitz; while from the plain of Maida sprung another and perhaps more brilliant wreath to adorn the brow of British valour, in addition to what it had recently acquired in the fields of Egypt. Men, who in a distant country can thus fight the battles of allies with whom they have no ties of language, or manners, or intimacy of any description, whose piety they deprecate, whose ignorance they despise, at whose morals they blush, what achievements would they not effect when contending for all that is valuable on their native soil? In such a situation, what suffering would be deemed severe, or what difficulties would prove insurmountable? When contending on their patrimonial ground, for their wives and children, for plenty and security, for a constitution of freedom, and a religion of benevolence, what limits can be fixed to the operation of so grand an impulse, and what enemies, however numerous or however formidable, must not be overthrown and blasted in the conflict?

The complete subjection of the Neapolitan territory by the French followed not long after this illustrious victory, which might somewhat delay, but could not prevent its accomplishment. The support of the British arms, which could not have been effectual, being withdrawn, the enthusiasm of the Calabrians abated, and they finally yielded to a fate which they nobly resisted while a chance of success attended their endeavours for that purpose. Gaeta had firmly withstood the effects of all that force and skill on the part of the enemy could effect: but its garrison was diminished by the fire of the French, and borne down by incessant exertion; its heroic commander was severely wounded; the works of the besiegers were completed; two practicable breaches were made in the walls; and a signal was every moment expected to be made for the assault, which would have been attended with a profusion of blood with no object in view equal to so dreadful an expense. In these circumstances, the commandant truly and wisely concluded that he had done enough for glory; and a capitulation was signed by him and the French general, which was without delay communicated by the new monarch to his brother in a dispatch, in which Gaeta was no longer represented as an insignificant fortress with a petty garrison, but the acquisition of it was extolled as of the highest value, and as obtained, which it certainly was, only by the most persevering activity and valour.

This event may be regarded as completing the reduction upon the continent of the kingdom of Ferdinand, a monarch descended from a long line of royal ancestors, yet succeeded on the throne of Naples by the son of a plebeian, but the brother of a man, who from this

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low origin has raised himself to an elevation of power above any of the continental sovereigns; whose conscience has never proved a bar to his ambition, and whose profound plans and unrivalled energies have baffled the projects of confederated Europe. The fall of Naples under the influence of France it is inevitable to deplore, as adding to the already accumulated power of an inveterate enemy; but with respect to the people of that country, however repulsive at first the change might be to their habits and prejudices, it would appear scarcely supposable that in fact it can be eventually for the worse. The state of the Lazaroni in the city of Naples, was a perpetual reproach to the government which could not devise some mode of turning to account a vast portion of tractable and athletic population, but rather suffered it to remain a stumbling-block to public order, a nursery for all physical and moral disease. The sloth and bigotry, the assassinations and pollutions existing hitherto in this large portion of Italy, and which, it must be admitted, the late government seemed but little studious to reform, will in all probability be mitigated under the present dynasty. Industry and arts will probably be cherished. The treasures of literature which yet lie buried in subterraneous ruins may be produced to light; a palliated superstition, and at length a rational piety, may take place of that rank and foul corruption which has hitherto passed under the name of religion; and the institutions about to be introduced by an active and enterprising government into this delightful country, may be the elements of that moral maturity in which the virtues of the inhabitants may bear an affinity to the purity of the atmosphere and the fertility of the soil, and beauty of character may predominate equally with the sublime and attractive scenery of nature: a prospect which the philanthropist will be pleased to cherish, and which, for a moment at least, shall console for the successes of an aggrandized and arrogant enemy.

The successes of the British navy during the last year, did not by any means relax the attention of government to that bulwark of our defence and source of national glory. The wretched remains of the combined fleets of France and Spain were closely blockaded by lord Collingwood off Cadiz, which they had such reason to regret that, in a moment of temerity, they had lately quitted. Admiral Russel was employed in watching the motions of the Dutch. Off Brest our cruisers were exercising indefatigable vigilance, and displaying that cheerful activity in their meritorious exertions, to which nothing could stimulate but the service of their country, and which the idea of this rendered not merely tolerable but attractive. The light squadron in the Downs kept a scrutinizing eye over the port of Boulogne, from which the flotilla of the enemy durst not move beyond the batteries, lest it should incur inevitable destruction. From the North sea to the straits of Gibraltar the enemy were slunk within their harbours, and had the mortifying spectacle to see the British squadrons perpetually riding before them in triumph, or, if driven off for a short period by the power of the elements, to which all human skill and efforts must yield, speedily returning to their station with renewed activity.

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With all the vigilance which it was possible to exercise in blockading the enemy, opportunities inevitably occurred of which they availed themselves for sending out their remaining vessels of war. The reinforcement of their colonies was an affair of considerable urgency. The annoyance of the British trade was an object, for effecting which they were always ready to incur a greater hazard of ruin, than there was a chance of their success. At the close of the preceding year, admiral Villaumez accompanied by Jerome, the brother of Bonaparte, had availed himself of one of those opportunities to escape from port, with eleven sail of the line and a number of frigates: which afterwards separated into two squadrons. The alarm naturally excited among the mercantile interest on this occasion was not small; and reports of victory and defeat were circulated in rapid alternation. Government lost no time in dispatching instructions to the West and East Indies, that the dependencies of the empire in those quarters of the world might be prepared for the reception of the enemy; and various squadrons were sent in pursuit of them. Early in February one of the enemy's squadrons was discovered by admiral Duckworth to the windward of Ocoa bay, near the island of St. Domingo. By judicious manœuvres he secured their being brought to action; his own force consisted of seven sail of the line, and that of the enemy of five. The French, notwithstanding their inferiority, fought with intrepidity. The engagement lasted for two hours, at the end of which time the French commander ran his ship, l'Imperiale of a hundred and twenty guns, on shore, in which he was followed by the captain of the Diomede. The three others, the Alexandre, the Braave, and the Egyptienne, struck to his majesty's arms, and were immediately taken possession of by the conqueror. The loss on the part of the English consisted of seventy-four killed, and two hundred and sixty-four wounded. In the three French vessels which were captured, and in which alone the loss was ascertained at the date of the dispatch, the killed and wounded amounted to upward of seven hundred; and, from the circumstances of the action, the loss in the two on shore must have been at least in that proportion. The Diomede and Imperiale were afterwards completely burnt by the exertions of the British fleet; whose perfect success, in so short a period of time, was undoubtedly a matter, if not of astonishment, yet of glory; redounding highly to the praise of British valour and discipline, and well meriting that honour which it received in the thanks of both houses of the British parliament.

The other squadron of Villaumez, with prince Jerome, yet remained, and was even more capable of inflicting injury, amounting to six sail of the line with three frigates. Several transports proceeding with troops from Gibraltar fell into its power. The vessels were burnt, and the troops put on board a frigate belonging to the admiral, which afterwards was captured by the English. At St. Domingo, forces were landed to strengthen the rallying point of French power, which yet existed on that island. At Montserrat, Nevis, and St. Kitt's, predatory landings were effected; and the operations of this force under Villaumez appear to have been attended

tended with some injury to our colonies, and considerably more terror. Admiral Cochrane, who was on the windward station with a force consisting of four sail of the line with frigates, discovered the enemy near Barbadoes, but considered the inequality of his force to be too great to justify his hazarding an attack; and, having the option in his power, he waited for an accession of strength in the island of Tortola. The ruin of this hostile fleet, however, was at length accomplished by the fury of the elements. A gale of wind, one of the most tremendous ever experienced, separated the ships of the enemy, of which the French admiral's with extreme difficulty and in a most shattered state reached the Havannah. The Impetueux made for the coast of North America, and was followed into the bay of Chesapeak by his majesty's ships the Belleisle and Bellona, where she ran ashore, and was burnt by the crew of the Melampus. Of the remaining vessels of the fleet two were eventually destroyed by the English on the same coast, and the Castor was supposed to have foundered at sea; while prince Jerome, whose appearance in a British port was anticipated with confidence and rapture, with the good fortune which appears characteristic of his family, arrived in the Veteran, some time in August, at L'Orient.

Captain Burrows of the Constance frigate was appointed to the command also of a sloop of war of 16 guns, and a brig of 14, off one of the ports belonging to the enemy, from which he observed a large vessel, which proved afterwards to be the Salamander of 44 guns, attempting to make her way out. Being attacked by the English frigate, she was driven on shore; but having been got off and found to have received no material damage, was advancing again for her original destination. After a smart action she was a second time driven for protection under the batteries, in a condition so completely shattered, that it was necessary almost immediately after the engagement, which was fought before thousands of spectators on the French coast, to abandon and destroy her. From the violence of the contest the Constance herself was become unmanageable and at length driven on shore, where she was taken possession of by the enemy, her crew having previously quitted her, while that of the Salamander was brought off by the Sheldrake sloop; affording unequivocal and triumphant evidence of the capture of the French frigate by one of little more than half her force. The commanders of both vessels were killed in the action.

The capture of the Pomona frigate of 40 guns was another instance of the daring and success attendant on British seamen. She was at anchor about a league from Moro castle in the island of Cuba, and had been reinforced by ten gun-boats from the Havannah. In this situation, and while under a battery, landing specie with which she had returned from the Gulf of Mexico, two English frigates hove in sight and immediately bore down towards the battery; notwithstanding a most dreadful fire which proceeded from all this accumulation of hostile force, after a resistance of fifteen minutes the Pomona struck her colours, two of the gun-boats were blown up, five were taken, and three driven on shore; the fort was afterwards silenced; and the captured vessel, having still on board the

the greater part of her Mexican cargo, consisting of money, plate, and valuable articles of merchandise, was taken possession of and brought out; the enemy having sustained a loss of nearly two hundred men, while that of the English vessels was of little extent and consequence.

Sir Sydney Smith, having the command of the Pompée, and being stationed off the coast of Italy, was of eminent service to the prince of Hesse Philipstahl during the siege of Gaeta, as well as in repairing, provisioning, and reinforcing that important fortress. A successful attack was made by him on the island of Capri near Naples; and with the boats of the Pompée he cut out a vessel from one of the enemy's ports, notwithstanding her being protected by a heavy fire of musquetry. In a sortie from Gaeta, already mentioned, concerted between himself and the commandant of that place, he co-operated by a detachment which penetrated considerably into the country on the high-road towards Naples, destroyed one of the enemy's batteries and spiked its cannon; affording an opportunity to the prince of Hesse, by this diversion, for the destruction of certain works of the besiegers, which was the grand object of this effort.—The reputation of lord Cochrane was also well sustained this year by several gallant exploits made in his majesty's ship the Pallas. The Colpoys hired brig, having driven three Spanish luggers under the batteries of Avillos, proceeded, notwithstanding a heavy fire from them, to complete the triumph by bringing out the vessels. For this purpose two boats were armed, the first of which, with only six men, took possession of them, in defiance of the musquetry of soldiers who had actually been sent from the shore for their defence; the second boat arriving only in time to assist in conveying them out of the harbour. This is an achievement which it would be difficult to credit, were it not ascertained that actions equally surprising have, in various instances, been accomplished in our naval warfare, and that the resolution of a handful of brave men, in attempting what the enemy had deemed it impossible to perform, has often produced that consternation, that total prostration of the greater physical strength before the less, through which events have taken place that, after the moment of victory, have equally astonished the conquered at their defeat, and the victors at their triumph.

An action which requires honourable mention in the catalogue of illustrious exertions by sea in the present year, was performed by a part of the Jamaica fleet. Eleven of these vessels being on their passage, and destitute of convoy, were attacked by a privateer, which they beat off twice. Having received intelligence soon after, that three vessels of this description were in pursuit of them, they provided for their arrival by constituting captain M'Farlan, master of one of the ships, their commodore, and sending detachments of men to enable him to discharge the duty of that office with effect. The privateers soon after arrived, and met with that reception which they were but little prepared to expect from merchantmen; and after about an hour's warm firing they thought proper to retire from a conflict with those martial

traders, and left them to pursue their course without the slightest farther attempt at molestation.

It may be remembered that the French admiral Linois had some time previously to the year 1806 found his way with a squadron to the East Indies, where he had evaded the notice of our most vigilant commanders, and effected depredations on the British trade to a very considerable extent. His successes were a theme of exultation to the enemy, and excited feelings of depression and apprehension in this country, such as in similar circumstances will ever occur in a mercantile community. The Isle of France had been the grand depôt of the plunder he had collected in the Indian seas; whence, in different bottoms, and after having in great measure been converted into specie, it had been transferred to France. Thither the admiral's ship, the Marengo, of eighty guns and seven hundred and forty-four men; and the Belle Poule, of forty eighteen-pounders and three hundred and twenty men, were this year steering their course, having completed their levies on British property, and looking forward to the splendid enjoyment of the fruit of their toils. These hopes, however, were fatally intercepted by sir John Warren, with one of the squadrons which had been dispatched in pursuit of Jerome Bonaparte. After a running fire of about three hours the Marengo was obliged to strike, and was speedily followed by the Belle Poule. This event, mortifying as it must of course have been to the French admiral, was equally gratifying to the British public, who could not fail of being highly pleased with this catastrophe of an expedition, which in its progress had given considerable uneasiness and done very material injury.

Amidst its important European concerns, the government of France was not inattentive to its colonial dependencies; and sensible of the expediency of reinforcements, a squadron of five frigates and two corvettes, containing about two thousand troops, was fitted out towards the close of the year, at Rochfort. Watching a favourable opportunity to escape, and at length finding what they deemed such, they quitted the harbour. The day after sir Samuel Hood was fortunate enough to fall in with them; and after a chase of several hours, in the latter part of which a very heavy cannonading took place, four of the frigates struck to the British arms. They were remarkably fine vessels, of large dimensions, mounting twenty-eight eighteen-pounders on their main decks, and containing each about 650 men including troops; full of stores, arms, ammunition, and provisions.

Under the auspices of Mr. Pitt's administration, an important expedition had been fitted out in the preceding autumn, consisting of several ships of the line and frigates, under the command of sir Home Popham, and a force of between four and five thousand men under sir David Baird, destined against the Cape of Good Hope. On the 6th of January, the violence of the swell, which had previously been dangerous, having considerably abated along the shore of Lepard's bay, a successful effort was made for the landing. A party of the enemy's sharp shooters hovered on the surround-

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ing heights, and commanded the operation, but without effecting any material impediment; by far the greatest misfortune attending the disembarkation of the whole army, which was completed the ensuing day, being the overturning of one boat containing thirty-five men of the ninety-third regiment. On the morning of the 8th, the army, consisting of four thousand men, which, by the difficulty of keeping up any intercourse with the fleet, had been barely able to obtain the necessary supplies, formed into two brigades, moved on towards Cape Town, and, having ascended the Blue Mountains, discovered the troops of the enemy drawn up in two lines, in motion, to anticipate sir David's approach. They appeared to consist of about five thousand men, the greater part cavalry, with twenty-three pieces of cannon. As it appeared that they intended to refuse their right wing, and with their left to attempt turning the right flank of the British, the arrangements for this object were immediately counteracted by sir David, whose means for this purpose were completed with celerity and order. The Highland brigade now advanced, under a very heavy fire, with perfect steadiness. The enemy maintained their position, and received the British fire with firmness; but the courage of the latter, at the moment of charging, bore down all opposition, and forced the enemy to a precipitate retreat. The loss of the Dutch was stated at seven hundred men in killed and wounded; forming a striking contrast with that of the English, whose loss was considerably under two hundred. The difficulties of the troops were of a most harassing and distressful kind. Their advance towards the enemy was impeded by a deep and heavy sand covered with underwood. The total privation of water, under a burning sun, was a circumstance of peculiar aggravation, and, although the most cordial co-operation existed between the different departments (no expedition, probably, having been conducted with more perfect concert of feeling and energy) from the time of the landing to the surrender of Cape Town, the difficulties attending the bringing on shore of provisions were such, that a great part of the army was in absolute and extreme want of food. Terms for this surrender, however, were offered on the part of the commandant of the town, on the 9th, and a capitulation was effected on the 10th, the outworks having been previously delivered up. After the action of the 8th, general Jansen retired into the interior of the country with the remainder of his troops; but proposals of pacification being made to him by sir D. Baird, they were speedily acceded to, and the whole settlement thus came under the undisputed sovereignty of his Britannic majesty.

The intelligence of the capture of the Cape was received in England with the highest satisfaction; and it is an acquisition of such value to this country, that it will probably be permanently united to the British dependencies. Its intrinsic value is very great, as it consists of a large territory favoured with a most salubrious climate, and a soil in the highest degree productive. Its fruits and wines are of the most exquisite flavour, and of the most exuberant plenty; vines are seen growing wild in its woods. Beef, mutton, and poultry, are of extraordinary excellence

and cheapness; and in the year 1796 considerable quantities of wheat were exported from it to relieve the scarcity then prevailing in this country. The principal place in this large settlement is Cape Town, which is situated on an elevation defended by three fortresses: on the land side it is protected by several blockhouses, which, togetherwith other fortifications, were left by the British government, when the Cape was delivered up in conformity to the treaty of Amiens, in a state of admirable repair and improvement. In a commercial and political point of view, this settlement is justly described as being of inestimable value, as it may justly be regarded a half-way station for our India fleets, where they may procure refreshments of every description in the greatest plenty, and repair the injuries, which may have occurred on the voyage, to the vessels or the health of their men: two fleets have been actually seen at one time in its bays, breaking the tedium of an immense progress over the ocean, enjoying the balmy atmosphere, and rejoicing in the freshening bloom and healthful luxuriance of its innumerable productions. Among its political advantages may be regarded its situation with respect to the Mauritius that grand depôt of the French, in time of war, for all their means of molestation in these distant regions, against which the possession of the Cape must facilitate any expedition, and must at all events palliate an annoyance which has frequently been so formidable. Those who by general consent are qualified to give an opinion on the value of this acquisition, have stated it, for the reasons above given, among others, to be of the most distinguished utility; and it is well known that the noble lord, by whom, during Mr. Pitt's administration, the department of India affairs was conducted, was so impressed with the value of this settlement, that he did not hesitate at pronouncing, that the minister who should advise his majesty to the cession of it would deserve to lose his head.

The capture of the Cape gave rise to another expedition, which well deserves also some particular notice. The new settlement being deemed perfectly secure, not only in the liberal and conciliating character of its government but in positive strength, which no organized force of the recent establishment remained to oppose, an attack was meditated from it on the Spanish province of Buenos Ayres, in South America; and a detachment from the forces at the Cape, it was thought, might be spared sufficient for the enterprise. The squadron destined for this service conveyed about eleven hundred troops, and arrived off Cape St. Mary on the 6th of June. It was a question of consequence whether Monte Video or Buenos Ayres should be the place of attack, which, after much discussion, was carried in favour of the latter. On the 25th they were all disembarked without the slightest opposition; and on the 26th the enemy were still stationed on the brow of a hill about two miles distant, with the village of Reduction beneath them, from which situation they had observed the landing on the preceding day. Their right flank was protected by the village, and their force appeared to consist of about two thousand men, principally of cavalry, and of eight field-pieces. General Beresford, who commanded

commanded the British force, began to move against the enemy about eleven o'clock in the morning. The bottom of the heights was soon reached by them, when the Spanish army quitted precipitately the brow of the hill, which was rapidly ascended by the assailants, who by a brisk fire of musquetry produced the flight of the enemy on all sides, leaving four field-pieces and one tumbril behind them. In their flight towards the town they took care to destroy the bridge over the river Chiulo which led to the city, through which they immediately passed into the interior of the country; and by eleven o'clock at night all the British troops had arrived over the river: upon this general Beresford proceeded towards the city, and a capitulation was in a very short time proposed and acceded to.

Buenos Ayres, at the time of its capture, possessed in its treasury and warehouses a large quantity of specie and valuable merchandise, belonging to the public companies or to the king of Spain, which was reasonably deemed fair booty to the conquerors, and a great part of which, to the amount of more than a million of dollars, was almost immediately embarked in the Narcissus, and dispatched, with intelligence of the success of the expedition, to England. Two hundred thousand dollars remained in the royal treasury, and the property in the public depôts was estimated to amount to two or three millions.

The proceedings of sir Home Popham and general Beresford, who in this enterprise acted with a union of sentiment which does not seem to have experienced the slightest interruption, and which should be regarded as a model by all engaged in joint commands, were attended with a sense of honour and equity highly gratifying to the feelings of Englishmen. Disdaining that line of conduct for which, to the disgrace of the British name, precedents were afforded in the commencement of the first French war, by men now covered with public honours, whose love of wealth so far prevailed over the noblest feelings as to lead them to revive, in a great degree, the systematic pillage, the "*crudelem hastam*" of antiquity, their transactions with the inhabitants of the conquered country were eminently distinguished by justice and liberality. Private property was held sacred by them. That part of the shipping in the river which consisted of coasting vessels freighted with merchandise belonging to individual proprietors, and which was supposed worth nearly a million and a half of dollars, was delivered up with the most scrupulous and honourable correctness. Besides this security of private property, guarantied in the capitulation, and by a proclamation which speedily followed, the free exercise of religion was allowed to the inhabitants according to its established modes, the possession of their civil rights and immunities, and their forms of municipal and judicial administration were continued; heavy duties were taken off, or mitigated; a free trade was granted to them as it was enjoyed by the inhabitants of Trinidad, whose happiness under his Britannic majesty's government was held forth as an example of what might result to his new subjects of Buenos Ayres:—all were invited to join in promoting the public order and tranquillity, which the troops were in no in-

stance suffered to molest; and the grand object of the new possessors appeared to be, to create that happy state of the public feeling, with respect to the government, which might supersede all exercise of violence, and which would flow from mild authority, and lead to willing obedience.

From this review of the events of the war in which Great Britain was particularly engaged, it will appear that the bravery of its seamen and officers was never superior, and does not seem capable of being exceeded in future times;—one generation of heroes moves off the stage of public life only to be followed by another, the same in ardor, the same in talents, but not always the same in the opportunities enjoyed by them of mortifying the pride and impairing the resources of the enemy. The scene of combat uniformly proves the theatre of glory; and whenever the enemy will supply a Trafalgar, the British navy will be certain to display a Nelson. To the plains of Maida the patriot will turn his eye with feelings similar to those which he experiences on the view of the maritime successes of his countrymen, enhanced, perhaps, somewhat, by the circumstance, that, while our naval pre-eminence is as fully allowed as it is obvious, the victory of sir John Stuart was gained on an element on which the French admit of no superior, or even equal. In this contest, however, though they produced their choicest troops, their ablest generals, and were of far superior numbers, they were subdued under the energy of British heroism, and fled from the shock of battle with precipitation and dismay. To the expeditions of the year he will look, as having procured an addition to the British empire of inestimable importance to the safety and prosperity of its commerce and the annoyance of the enemy, and laid the foundation of enterprises pregnant with consequences of unspeakable benefit to this country, and which may more than counterbalance the advantages obtained by our insatiable rival by his destruction of the balance of Europe. In the British successes he will, in short, see the illustration of national renown, the security of trade, the acquisition of extensive territory, and the humiliation of the enemy, shut up and barred within all his ports; or, if escaping from imprisonment, pursued to his destruction.

CHAPTER IX.

Conduct of Prussia—Versatility and Selfishness of its Policy—Its Occupation of Hanover—War between Prussia and England—Disgust of the Prussian People and Army with their Government—Prohibition by that Government of Political Discussion—Cashiering of Officers for their Strictures on Public Affairs—War between Sweden and Prussia—Conduct of Russia—Capture of Cattaro from the Austrians by a Russian Force—Doubtful State of France and Austria—Detention of Brannau and the Austrian Prisoners—Reforms of the Emperor of Germany—Appointment of the Archduke Charles to the supreme Regulation of the Military Department—His Punishment of the Defaulters in the late Campaign—Extent and Importance of his Arrangements—French Troops in Germany—Austria, unable with all her Exertions to struggle with France, is obliged to abdicate the Imperial Crown of Germany—Federations of the Rhine—Act of Abdication—Consequences of these Changes.

THE conduct of Prussia towards the close of the preceding year had baffled the hopes of all who ardently wished a check should finally be imposed on the ambition and usurpations of France. The rivalship between Austria and Prussia in ordinary circumstances, might well be supposed to preclude cordial co-operation; but a common participation of danger will frequently banish mutual jealousies and soften disgusts, and produce a union sufficiently firm, for a time, and capable of repressing a common adversary, although afterwards the ancient feuds are revived, and found to have been suspended only, and not annihilated.—Such, it was hoped, might have been the case with respect to the two great powers, Austria and Prussia; and many indications seemed to be given by the latter of a strong propensity, sometimes, it was thought, of a strong determination, to join the coalition. In a short time, however, such was the progress of Bonaparte that the last spark of hope relating to this concert was extinguished, while the versatility and equivocation, the odious rivalry and selfish rapacity of Prussian policy, became the theme of universal invective; and circumstances took place which convinced those who remained unconvinced before, that she had been guided in her conduct by motives of the most unworthy character. On the 27th of January, a proclamation was published by the king of Prussia to the inhabitants of Hanover, in which it was observed, that, since the events which terminated in the peace of Presburg, the only means of preserving that country from the flames of war consisted in forming a convention with the French emperor, by which the states of his Britannic majesty in Germany were to be wholly occupied and governed by Prussia, till peace; and all the authorities of that country were called upon to conform to the dispositions made for this purpose; and to yield submission to the civil and military administration as appointed in the person of general Kecknert and the commissioners chosen by him. On this subject a note was presented on the 17th of

March, by Mr. secretary Fox, to baron Jacobi, which states the great anxiety of his majesty at the manner in which possession had been taken of the electorate by the Prussian troops, and that, certainly, for any avowed purpose of its occupation, the subversion of its civil administration could not by any means be requisite. The honour of his Prussian majesty required his most clear and decided declaration, before all Europe, of the occupation being intended only to be temporary; and his majesty desired to be equally explicit to put an end to all hopes, if indeed any such had been entertained by the court of Berlin, that any convenience of political arrangement, much less any offer of equivalent or indemnity, could induce his majesty so far to forget what was due to his legitimate rights, as well as to the fidelity and attachment of his Hanoverian subjects, as to consent to the alienation of the electorate. Whatever cessions might be contemplated to France, they could be no justification of the taking of the king of Great Britain's lawful inheritance by his Prussian majesty, who will rather, it is added, follow the honourable dictates of his own heart, and not have recourse to so dreadful an example as this conduct would exhibit to all Europe. Soon after this, however, his Prussian majesty thought proper to drop the slight veil with which he had so ineffectually attempted the concealment of his real designs on the electorate, by publishing, on the first of April, a proclamation, in which he states the conclusion of a convention between himself and the French emperor, for the exchange of Hanover in return for three provinces of his monarchy: and, as the Hanoverian states were possessed by France in right of conquest, he declares that the rightful possession of the electoral states of the house of Brunswick situated in Germany, had passed over to him in return for the above cession on his part, and that they were now subjected only to his power; that thenceforth their government would be administered in his name alone, and under his supreme authority. The ports of the North Sea, and rivers running into the same, were also to be shut against the English trade and navigation.

On the 8th of April, the ministers of the neutral powers were informed that measures had been taken for blockading the rivers Ems, Weser, Elbe and Trave; and a message was sent to both houses of parliament, stating the termination of friendly intercourse between Prussia and Great Britain, in consequence of those aggressions which it was impossible for his majesty to pass unnoticed, without violating his first duty to his people. An order was issued for the seizure and detention of all vessels found navigating under Prussian colours. The greatest activity was immediately manifested by all the British cruizers, and the harbours of the island were speedily crowded with captured vessels.

The greater proportion of the subjects of Prussia were well aware of this abject degradation in which they had been involved by their government; and the disaffection and discontents which ensued were natural to the occasion. Expressions of loyal and devout attachment were suspended. Conversations in public assumed a tone of animated comment upon public measures which had rarely been employed. Men of rank and sta-

tion deplored the shade which had been thrown over the character of their country. The military entered into the general feeling with peculiar ardour: this feeling was in some instances almost roused to phrensy, and, if probable reports may be credited, the attendants and relations of Majesty itself were daring enough in the royal presence to give intimations of their disgusts. This spirit of high disdain, dangerous in any government, and particularly in a military one, when those who are destined for the support of despotism feel a stronger disposition to remonstrate than to obey, was thought not unworthy the notice of power. Several of the military officers of the staff were not only reprimanded, but cashiered, for the freedom with which they had expressed themselves on political topics; and a proclamation was published, prohibiting the discussion of the proceedings of government: measures which checked the ebullition of popular feeling, but confirmed probably rather than changed the public opinion. To the king of Sweden the conduct of Prussia was equally exceptionable as to her own subjects, and he felt not that restraint in the expression of his disgust which was experienced by them. The conduct of this prince may be regarded as forming a striking and laudable contrast to that of the king of Prussia, which inspired him with sentiments of extreme irritation and aversion; and, agreeably to authority which can easily be credited, led him to apply epithets of no qualified indignation. In conformity to the treaty between Great Britain, Russia, and himself, he had united with them for the protection of the electorate against France. With this view the territory of Lauenburg, which belongs to the electorate, had been occupied by him: and when the views of Prussia against this dependency were fully unfolded, he manifested every disposition of hostility to her pretensions; and, although obliged to evacuate Lauenburg by the superiority of the Prussian force, when threatened with the most active and dangerous hostilities against his Pomeranian states, he exerted himself with the utmost assiduity to prepare for their defence, co-operated in the blockade of the ports of Prussia, and wanted nothing but more efficient means to punish her selfish and pernicious policy as it merited. The circumstances, however, of the political relations of these powers were of so singular and varying a nature, in the course of the year, that these hostile demonstrations, threatening as they were for a time, were attended with no important consequences.

The Russian forces, after their return, in consequence of peace between France and Austria, were still kept up to their establishment, or rather indeed considerably increased by new levies. The idea of prosecuting the war seemed by no means abandoned on the part of the emperor, and the hope seemed to be entertained by him of a renewed opportunity for retrieving the affairs of the allies, and effecting the deliverance of Europe. In the mean time he was not inactive in that field which was still open to his exertions. By the treaty of Presburg, the Venetian territories which had been ceded to Austria by the peace of Luneville, together with part of Istria and Dalmatia, were to be added to the kingdom of Italy, as also

also the mouths of the Cattaro. The latter constitute a position upon the Adriatic, of extraordinary strength. By the various intersections of rivers, and other peculiar circumstances attending this situation, it is capable of defence by a very small number of men against a very superior force. The officer who commanded the fortress was general Brady, who possessed but a small number of troops,—according to the Austrian statement, not more than eighty men. The time for delivering it up had expired, and nevertheless it remained still in the hands of the Austrian commandant; when an officer in the Russian service, whether instructed by his government, or acting from the suggestions of his own mind with respect to the importance of the enterprise, appeared before the place, and summoned it to surrender. The expedition was conducted with promptitude and decision; and from the suddenness of his appearance, the inefficacy of the garrison, or a disposition on the part of the governor to accommodate the recent ally, rather than enemy of his master, with so valuable a station, the Russian officer easily succeeded, and the summons was obeyed without delay. The dexterity with which the French in this instance were circumvented by an enemy whom they had affected to despise as destitute of the least portion of skill or stratagem, gave no small triumph to the court of Petersburg, little less perhaps than what arose from the importance of the acquisition itself. On the other hand, intelligence of this event was received by the cabinet of the Thuilleries with all those indications of chagrin and rage which might naturally be expected. The French ambassador at Vienna was ordered to remonstrate on the occasion with extreme energy, and to insist most peremptorily on the fulfilment of the treaty of Presburg, and on the delivery of Cattaro, not through the medium of its present Russian possessor, but by the Austrians themselves, from whose hands alone the French should receive it. Russia, however, retained her conquest amidst all the discussions and irritation to which it gave rise, and until towards the conclusion of the year, when a larger theatre was opened for her exertions, and the circumstances of Albania (which, yet, after its original seizure, afforded no event of considerable consequence,) formed the principal object of her attention and hostility.

The disgust occasioned in the French cabinet by the surrender of Cattaro, was connected with the refusal of Austria to permit a passage through its territory into Dalmatia, the reason for which refusal was stated to be, that the Russians would expect, in consequence of such an advantage granted to the French, similar facilities, and the hereditary states would be exposed to those inconveniences which never fail to attend the march of large bodies of armed men in any country. These two causes of disgust led to the detention of Brannau by the French. The Austrian prisoners also, who had not already returned to their own country, were ordered to halt and go back to France. Such were the unsettled relations between France and Austria for a long time: and, considering the distress and loss which Austria had experienced in the late campaign, it was gratifying to see that she thought herself

self strong enough to refuse any demand and resist any pretension of the conqueror. Opposition, however slight, excited gleams of hope, that the emperor might yet recover in time some means of effectual resistance; a hope which was, also, somewhat encouraged by the appointment of the archduke Charles to the chief command of all the forces of his empire, with full power to effect such reform in the state of the armies as the crisis of the times called for. The defaulters in the late miserable campaign were brought to trial, and many of them received that punishment which their treachery or cowardice fully merited. One general was shot for his conduct at Ulm. Neglect of duty, arising from no mean or criminal intentions, was far from being passed unnoticed. The prince of Auesburg, by whose neglect and folly the bridge of Vienna, which he had been ordered to burn down, was left standing, was sentenced to an imprisonment of ten years.

Innumerable were the courts martial held, by order of the archduke, in his new and distinguished situation; and in many cases, where no higher punishment was required, a dismissal from the service was the result. Those officers, also, who, from whatever cause, had become infirm, were suspersed-ed on respectable establishments; and in the room of men who had shown themselves in the crisis of danger totally incompetent to afford their country protection, were substituted others of high honour, vigorous activity, and alert obedience. The judgment and energy displayed by the emperor's brother in the duties of his department were such as did honour to his appointment. He dismissed all foreigners who held commands in the Austrian armies. He was convinced that a nation will ever be best protected by its own children. In pursuance of this last idea, the institution of voluntary corps was adopted; and in the capital, and in various parts of the hereditary states, vast numbers obeyed the impulse of honour and patriotism, and formed themselves into armed associations, ready at their country's call to fly to her assistance. Arrangements were made to facilitate the means of recruiting, and filling up the different battalions in the service to their correct complement, as well as for increasing the number already on the establishment. The former system of military regulations was succeeded by a new code, calculated to introduce simplicity and dispatch: and in few cases has so general and valuable a change been effected in the military arrangements of a country as in this instance was accomplished.

These regulations were certainly not unnoticed by Bonaparte; but in the existing circumstances of Europe, the reinforcements of the Austrian armies could not certainly be construed into any deviation from even the spirit of treaties. With Russia, in vast force on the frontiers of Poland, Prussia upon the full war establishment, and Bonaparte himself covering Germany with his battalions, the justification of this increase was too obvious to admit of reasonable exception, and the captious vigilance of Napoleon could not pretend that it was not a measure of vindicable and essential policy. In the situation however in which Bonaparte at present was, he had an opportunity of watching the progress of political change. After withdrawing from Bohemia and

Moravia

Moravia he had concentrated his army. To this formidable engine he was indebted for all his political as well as military distinction, and he was determined to keep it in that commanding situation, by which he might not only secure what he had gained, but complete the yet undeveloped plans of his ambition. In the heart of Germany he fixed its station: hence, if any blush of shame for her degradation should kindle on the cheek of Prussia; if Austria should attempt to escape from that depression wherein she had been plunged, in which, however, amidst all her losses, she had preserved her honour; if in the territories of either power the emperor of Russia should see reason to expect a theatre for those formidable hostilities which he wanted only an opportunity for displaying;—from this commanding eminence Bonaparte could discern and anticipate their movements. Here he could exercise his eagle eye, and was ready to crush with his talons the first offspring of the hostile mind. But Austria, with all her exertions, was little inclined to engage again in the contest; and although not calmly contented with her situation, she felt it preferable to irretrievable ruin. She seemed indeed destined to verify the declaration of Bonaparte,—that, in his arrangements with that power, posterity would never be able to reproach him with the want of foresight; and, having not reached the ultimate point of her depression by the treaty of Presburg, she was afterwards induced or compelled to sign an abdication of her German imperial title. In the month of August this abdication took place. In a proclamation by the emperor of this date, he stated, that, even had the slightest hope remained after the treaty of Presburg of such an alteration of affairs, as might have permitted the execution of his various imperial duties, the convention lately ratified at Paris, relative to the separation of several considerable states of the empire, and their peculiar confederation, would have utterly and for ever extinguished it. His principles and duty therefore required of him the abdication of a crown which was valued by him only while he enjoyed the confidence of the German states, and could perform the duties which were connected with it. But the charge of chief of the empire having ceased by this new confederation, the ties by which he was attached to the states of Germany were completely dissolved. He was acquitted of his obligations; he resigned the imperial crown: and he absolved all the electors, princes, states and magistrates, from all those obligations by which they had been united to himself by the laws of the Germanic constitution.

The confederation of the Rhine, to which his imperial majesty referred in this curious and humiliating document, was ratified on the 12th of July. This important paper, which by a few lines of the pen, supported, however, by the power of the sword, subverted the complicated establishment of ages, commences with observing that their majesties the emperor of the French, and the kings of Bavaria and Wurtemburg, the archchancellor, the elector of Baden, the duke of Berg, (the emperor's brother-in-law Murat,) together with the landgrave of Hesse Darmstadt, and various other princes, dukes and counts, whose names are enumerated, being desirous to secure

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the peace of Southern Germany, which experience had long since proved could derive no guarantee from the existing constitution, had appointed certain plenipotentiaries to effect arrangements, from which this guarantee would naturally and decidedly result. In consequence of the dispositions which they had agreed on, and which were ratified, the states of the contracting parties were to be for ever separated from the Germanic body, and united by a particular act, called the Confederated States of the Empire. The affairs of this confederation were to be discussed in a congress which should sit at Frankfort, divided into two colleges, respectively of kings and princes, where all disputes should be settled that might arise among the members, who could in no case enter into the service of any other power than the confederation, nor alienate to any other power their sovereignty or territory. The elector archchancellor was to preside in this congress under the title of prince primate, having the city and territory of Frankfort under his complete sovereignty, and on the demise of any prince primate the right of naming a successor should attach to the emperor of France, who was to be proclaimed protector of the confederation. Various cessions and exchanges between the several members of the federation are specified, and very considerable additions of territory were made to many of them, to which they had no other right than what arose from the power of the union. With respect to each member, the limits are minutely set down of his territory and authority, in which the sovereignty of the imperial knightdoms in each state is included. In the event of a continental war, which should involve either the emperor of France or any individual of the union, all parties should make a common cause, and, in case of preparations for war against one of the parties, his minister should be authorised to demand of the congress a general arming of the confederation. The congress should regulate the proportion of assistance to the emergency of the case, and the summons of the emperor to the parties should be the signal for their taking the field.

The fallen fortunes of the house of Austria, thus stripped of its honours, and compelled to shelter its most distinguished title of emperor in its hereditary states, where, as if by a prophetic anticipation, it had secured an asylum, presents an impressive picture to the imagination. It was a spectacle of no common interest, to observe the descendant of imperial chiefs through a long series of generations, degraded into a renunciation of his dignity in behalf of a man, who, by his talents and his sword, was enabled to trample on the necks of sovereigns; and by whom family honours, and political establishments, which had endured for centuries, were swept away in promiscuous ruin.

Most of the members of the new confederation, in consequence of their accession to it, found their dominions compacted or extended. The princes, counts, and other members of the ancient establishment, who are not named in the act of confederation, and whose possessions joined or were included in those of the princes whose names were attached to it, lost their territorial sovereignty. The right of maintaining troops, the right of holding tribunals, of raising revenue,

venue, of appointing diplomatic agents, which constitute the chief characteristics of dominion, was transferred to this selection of potentates. A great number of administrations and jurisdictions was thus for ever extinguished. Personages who had kept splendid courts, supported guards, and exhibited in the college of the empire, and in their own dominions, the magnificence of princely revenue, were now suppressed, and the former associates of the splendour attached to the chief of the empire, when high occasions called for a concentration of the dignities of Germany, now participated in his humiliation. All reverses of this description in the fortunes of individuals will inevitably, in the man of comprehensive and enlightened humanity, excite sentiments of commiseration. But with respect to the inhabitants of Germany, the benefits which may result from the subversion of its cumbrous constitution may easily be supposed great. Its tardy deliberations and complicated forms, which were calculated to repress all useful enthusiasm, and to procrastinate action till energy was impaired, and the opportunity for action was passed, will be superseded by regulations less inconsistent with promptitude and vigour. A security will now be presented to the smaller states of the confederation, in the vigilance and resources of their imperial guardian, who will suffer no infractions, at least beyond his own, to pass unnoticed and unavenged. The substitution of a few despotisms, in the room of many, will certainly not long be deplored by the mass of German population. It is perhaps difficult to paint, in colours stronger than the case would justify, the arrogance of the great, and the depression of the little, the rapacity and impoverishment, the pride and abjectness, which were the consequences of that minute subdivision of sovereignty, which existed under the ancient constitution of the empire. To support a pageantry of state, which, to those who had seen the splendors of a powerful and opulent monarchy, would appear deserving of every expression of ridicule or contempt; the territories of these petty sovereigns were exposed to every oppression that inventive poverty could suggest. The extortion of revenue was a summary of the cares of government. The acquisition of that property from the people which ought to be employed in the means of its security, in the elevation of its sentiments, the development of its resources, the improvement of its valuable establishments, and thus increasing the sympathies which should ever exist between power and subjection, was applied to exhibit as strikingly as possible the contrast of princely splendor and plebeian poverty, and in cherishing that pride and servility which, in these miserable states, too often prevailed over every better feeling, absorbing all the benevolence of authority, all the dignity of submission, and every impulse of manly character. At the funeral of institutions such as these, few tears can be shed by the genuine friends of mankind, who will rather rejoice that the mitigated despotism of a few individuals has supplanted that aristocracy of German potentates, which, with some illustrious exceptions, fettered the energies of the human mind, and whose haughtiness and avarice involved their subjects, whom they considered as the more

valuable species of cattle upon their patrimonial soil, in all the meanness of servility, and all the penury of destitution.

CHAPTER X.

Some Circumstances relating to Bonaparte and France—Bonaparte's Visit to the King of Bavaria, and Amusements at Munich—His Opening of the Legislative Body—His Address—Exposé of the Empire—Conduct of Bonaparte to France—Decree proposed to the Senate by the Arch-chancellor—Law of the Imperial Family—Settlement of Joseph Bonaparte on the Throne of Naples—Preferment of Murat, Berthier, and the Prince Borghese—Titles and Establishments conferred on various Officers from the Italian States—Settlement of the Italian Crown on Prince Eugene—Order of 'The Knights of the Iron Crown'—Requiem for the Soldiers who fell in Battle—Appointment of a Grand Military Festival—Arrival of the Turkish Ambassador—Embassy from their High Mightinesses of Holland—Appointment of Louis Bonaparte to the Throne of Holland—Constitutional Act—Specimen of Dutch Liberty—Bonaparte's Military Execution of Palm—Hostility to the Freedom of the Press—Deputies at Paris from the Jews throughout France—Their Answers to the Questions of the Government—The Convocation of a Sanhedrim—Object of these Measures of the French Government—Assiduity, Penetration and Vigilance of Bonaparte.

THE solicitude of Bonaparte to preserve the affections of the military, who have constituted that mighty lever which has removed for him every obstacle in his way to empire, has been at all times conspicuous. When his successes against the emperor of Austria were completed, he issued a proclamation expressive of his high satisfaction for their services. But the bare expression of his gratitude would not do justice to his feelings or his policy. The widows of those who had fallen in the campaign were pensioned with liberality. Their children also were to be provided for at the public expense. Contributions to an enormous extent were levied on the conquered territories, a great proportion of which was applied to the discharge of the regular pay of his armies; part was converted into funds for the annuities of the relations of those who had died in battle, for the support of those who had been disabled in the service by wounds or hardships necessarily incident to their mode of life; and from the rest rewards were distributed among those individuals of the army who had displayed particular prowess or skill. Having made those provisions, and ordered such arrangements as were deemed requisite in the existing circumstances of his army, he was preparing to return to France. His arrival, however, was for some time delayed. At Munich in Bavaria he was occupied in celebrating the nuptials of his step-son Beauharnois with the daughter of the elector of Bavaria, whom he had lately created a king. In this city he appears to have

shaken

shaken off, in a great degree, the anxieties of civil and military business. He entered with alacrity into the amusements which his royal host prepared for him in rapid and various successions. In the mornings he visited the warehouses and manufactures of the city, or was engaged with his regal associate in the diversion of hunting. Concerts and the theatre filled up a great portion of the evening, together with assemblies, in which the dignity of power was laid aside for the sprightly freedom of conversation; and these were occasionally followed by balls, in which Napoleon himself did not hesitate to join, while the Bavarian ladies admired the gracefulness of his dance, and were delighted with the elegance of his imperial foot.

Bonaparte, having at length arrived at his capital, received those expressions of congratulation and attachment which might naturally be expected. He proceeded on the 2d of March to open the sitting of the legislative body. His arrival was announced by the firing of cannon. The head of his statue in the hall was adorned with a crown of laurel. Military music played at the emperor's entrance, and at the moment he ascended the throne the empress and the whole assembly stood up while the shouts of 'Long live the emperor!' resounded through the hall. The ceremony of taking the oath by some members being concluded, the emperor rose and addressed the assembly in a speech, of which what follows is a summary. Since his last meeting that assembly, a coalition of the greater part of Europe, effected by England, had been subdued. His allies had acquired power and consideration. Weak states had been avenged of the strong. The king of Naples had lost his crown. The whole peninsula of Italy was attached to the Great Empire, and the sovereigns and constitutions of its several parts were guarantied by himself. Russia had been obliged to retreat to her own territories with the wreck of her armies. Austria might have been irreparably destroyed, but her power had been confirmed. Complete confidence was reposed in her declarations. But the liberality of his arrangements was connected with vigilance and foresight, and she could never again injure France: indeed the high destinies of his crown would ever maintain his throne against all the efforts of envy and hatred, and his people were ready for any sacrifice when combinations of foreign powers menaced its security. Although he had been bred in armies always successful, his soldiers had exceeded his hopes, and had ceased to conquer only when they had ceased to fight; while all classes of his people had performed their duty, and manifested that ardour of attachment which was more glorious to him than all his military renown. Some ships had been lost through the violence of the elements, and in consequence of a battle imprudently begun, but which did credit to the zeal and attachment of his ally the king of Spain. With England he desired peace, which should experience on his part no delay, and which might have for its basis the treaty of Amiens.

The exposé of the empire was, a few days after, laid before the same assembly. In this paper are detailed the events of consequence which had taken place since the coronation of the emperor. The prodigies of the preceding year, which

which had transported the French with love and overwhelmed the rest of Europe with consternation, sufficiently explained how well he had discharged the obligations then incurred. The visits of the emperor during the year 1805 to various parts of his dominions are then mentioned. Returning from Italy before it was thought possible to have completed his object, the emperor had arrived on the western coast of France; and England, now justly alarmed for her security, excited that diversion on the continent which was the only mode of delaying her destruction. The forces of France were instantly transported from Boulogne to the Rhine, and advanced in a series of unrivalled successes to Ulm, Vienna, and Austerlitz. By the genius of the chief of the empire, the war was completed in a space of time shorter than one of the annual sessions of the assembly. In the midst of his labours, and experiencing the fatigue of a common soldier, with no bed but straw, and no canopy but that heaven from which his genius flowed, he still held the reins of the government of France, entered into all the minuteness of its details, was acquainted with every circumstance of its complicated œconomy, and, during his absence from his beloved people, "resembled that invisible being who is only known by his power and benevolence." The order of the interior, from which all regular soldiers were removed to the scene of hostility, was not for a single moment interrupted. The war of unprecedented success was followed by a peace, the terms of which were dictated by generosity and moderation. An enemy unfortunate in battle had lost eventually only a portion of those dominions which might have been wholly detained from him. France had been surrounded by nations friendly to her government, under the administration of princes whose power she had extended, and to whose titles she had added splendour: and Italy, which was a conquest over England, whose commerce and armies were now driven from her shores, was advanced by the war to a degree of power and prosperity, which promised to France itself, although under a different crown, the most important advantage. She was united to Germany by the recent alliance with Bavaria; and peace and commercial activity would be now enjoyed by that delightful country, whose subjugation by the French arms would prove her highest benefit.

With respect to the internal state of France, amidst innumerable and important improvements, the ports of the empire, it was observed, had been an object of peculiar attention and solicitude; particularly the new port Bonaparte, which would be worthy of that great name, and become the terror of England on the Channel. In consequence of great exertions Toulon also, one of the most beautiful works of art and nature, would speedily be recovered from its disasters, restored to its former prosperity by the same hand which delivered it from the enemy. In Bretagne, a country almost desolated by the civil wars of France during her revolutionary progress, and which had participated but little in her general civilization, a new city was to be erected, called Napoleonville, which was to be a depôt of commerce in peace, and of naval stores in war. In Vendée, also, a city was building, to be designated by the same great name, which would, in this application,

most appropriately bring to the recollection of all Frenchmen great misfortunes completely repaired.

But the colonies and commerce of the empire called for the particular attention of the government; and, fleets and seamen being indispensable for these purposes, it was requisite explicitly to state, that the finances necessary would be very considerable to attain those objects, and to support also that numerous army which must be kept up, to prevent surprise and counteract the contingencies of circumstances. But all the warlike preparations of fleets and armies, even the revival of the flotilla, which would speedily take place by the return of the conquerors of Vienna to the coast, were to be regarded only as a necessary apparatus for that moderate but secure peace, which was the grand object of the anxieties of government. The coalition had been baffled in all its projects; under the protection of the imperial eagle were now placed one hundred and ten departments of France, Holland, Italy, Venice, Istria, Dalmatia, and Naples; and there were given by it as allies to France, Bavaria, Wurtemburg and Baden, besides several other of the principal powers of Germany. Austria was fully sensible of the dangers of the English connection, and was aware it could, only in the friendship of France, enjoy that repose which its states wanted more than any other power in Europe. Russia would soon discover that her genuine glory consisted in the liberation of the empire of the seas. Having offered peace to Austria and Naples before their destruction or disasters, the emperor now offered it to England, which might certainly retain her immense acquisitions in India; but, in reasonable correspondence with this concession, she must recognise the new federative system of the French emperor. Each succeeding coalition which England had formed, had only increased the power and territory of the French nation. By the first had been gained Belgium, the boundary of the Rhine; the federation of Holland with France; and the conquest of the states of the present kingdom of Italy. The second had procured for it Piedmont. The third had added to her grand federation Naples and Venice. It was time now for that power to discern her imbecility. Finally, however, the emperor considered what had actually been done for the glory of France as but little, compared with what remained. He had exhausted military glory, and wanted none of those blood-stained laurels which he had been compelled to gather. He wished now to perfect the public administration, to promote the permanent and increasing happiness of his people, to render his acts a lesson and example of elevated morality, and merit the blessing of the present and future generations by a life devoted to these most laborious, but most glorious of human exertions.

On the 31st of March, the arch-chancellor of the empire was authorized to preside in the room of the emperor in the assembly of the senate, and presented for their sanction, from his imperial majesty, an act, the first part of which was a code of regulations, by which the education of the princes of the imperial family, who ought to be trained to the most elevated sensibilities, and could be accomplished for their high destinies only by extraordinary means, should be intrusted in all cases to the father

father of the empire, and which specified the duties of their relationship to that august personage in almost all possible variations of circumstances. The city and territories of Venice were by the next part to be added to the kingdom of Italy. By the third, the pious affection of the emperor's brother, Joseph, for the head of his house, was to be remunerated by the throne of Naples, which in no case was to be connected with that of France. In consideration of the splendid services and virtues of prince Murat, he was by the fourth part of this act to possess in full sovereignty the duchies of Cleves and Berg. The principality of Guastalla, with some others, was conferred on the princess Paulina and her husband the prince Borghese; and by another part of this comprehensive act the principality of Neufchatel was conferred on marshal Berthier, whom his majesty was pleased to designate as an officer equally fearless and intelligent, his old companion in arms; whose elevation to this dignity, while it gave peculiar gratification to the emperor, would excite the sensibility of every good heart. From the inability which the emperor experienced to provide adequately for many who had distinguished themselves by the importance or splendour of their services, Parma, Placentia, Venice, and several other states of Italy, were by the last article of the act to furnish upwards of twenty titles of high distinction, accompanied with appropriate domains, to be both transmitted by those heroic men to their descendants. The intended marriage of his niece Stephanie to the hereditary prince of Baden was announced by a message to the senate; and, in another address to the same body, the emperor signified his wish to cut off from his people of Italy that suspense which they must feel about their future destiny, and which must materially interrupt their happiness under that government which they wished to see perpetuated. With this view, in case of failure of heirs to himself, he had, as authorized by the constitutional act, adopted to the hereditary throne of that kingdom his son the existing viceroy, whose skill in government and war entitled him to this distinction; who had achieved exploits in the field which renewed his own renown; and who, in critical and stormy emergencies, had conducted himself, in the supreme administration of affairs, with that peculiar judgment and conciliation which had confirmed the powers of government by the affections of the people. But, as uniformity of laws, beyond certain geographical and moral limits, must ever be injurious, the crown of Italy was in no circumstances whatever to be joined with that of France.

In connection with the establishment of the new monarch of Italy, a military order of knighthood was instituted by Bonaparte, to consist of 200 knights of the order of the "Iron Crown," which afforded an opportunity of rewarding many of his officers, and may be regarded as another evidence of his devotion to that class of merit, from which he had derived such singular advantage.

Soon after the termination of the campaign in Germany, a grand requiem was celebrated, with all the popular solemnities of the Romish religion and all the pomp of cathedral service, for the warriors who had fallen in battle. The most depressive aspect of war was soothed by scattering honours over the tombs of heroes, whose widows

and children had obtained a settlement from the funds of the nation, and whose patriotic exertions, now closed in honourable death, called forth those tears and intercessions before the Supreme Mind for their eternal felicity, which, springing from pious affection, were supposed to effect changes in the state of the dead, or in the destinations of omniscience. While the rites of the departed were performed with those expressions of unequivocal regret and veneration, which in a moment of enthusiasm might almost inspire the spectators of this captivating ceremony with the wish of exchanging situations with the celebrated dead, festivals were contemplated, with the same principal object in view, and to an unequalled extent. The armies of Napoleon, on their return from the seat of war, were to assemble in the heart of their country. For a succession of days they were to enjoy all those festivities which the bounty of gratitude or the invention of genius could suggest. Rewards were to be distributed by their chief. Games should be instituted, which were to exceed, in elegance and dignity, every thing that antiquity had transmitted; and the civil administrations were to furnish every facility to give success to this comprehensive project of national and enthusiastic commemoration. The circumstances of the continent, however, prevented the accomplishment of this intended festival.

A circumstance of gratification for the people of Paris, which occurred this year, was the arrival of an ambassador from the grand Signor, expressly appointed to congratulate Bonaparte on his accession to the throne of France. The eastern style of address and compliment which characterized his excellency's speech to Napoleon on his grand audience, was not so remote from the habits of the Parisians as to prevent their cordial sympathies. The bright star of glory of the western nations; the greatest of the sovereigns in the christian faith; he, who grasped in one hand the sword of valour, and in the other the sceptre of justice; were designations which met with their complete concurrence.

The embassy from Constantinople was followed by one from their high mightinesses of Holland, the object of which was, the effecting of a change in the constitution of that country, stated by the commissioners to be demanded by the necessities and desires of the people, by erecting Holland into a kingdom, and establishing prince Louis, the brother of the emperor, upon its throne.

By the constitutional code, agreed upon at Paris for this purpose, and accepted by Louis Napoleon, the constitutional laws actually existing were still to remain in force, excepting in cases in which they might be superseded by the recent treaty, or by the articles of the new code. The government of the Dutch colonies, whose receipts and expenditure should be incorporated with those of the state, was to be conducted by special regulations. The guarantees of the public debt; the employment of the Dutch language in all laws, ordinances and publications of authority; the preservation of the existing weight and value of the coin, unless altered by any express statute; the continuance of the former flag of the state; and the appointment of a council of state to consist of thirteen members, among whom the ministers were to vote and deliberate, were established by the general dispositions

of

of the first part of the code. By the second part, equal protection was extended to all the modes of religion professed in the state, and the exercise of public religious duties was limited to the respective churches of all the different sects. Every thing relative to the organization, protection and exercise of worship was to be regulated by the king, and the law; and the king was to enjoy, wherever he might fix his residence, the free and public exercise of his religion. By the third part of these dispositions the complete exercise of the executive government, and of all the power necessary for carrying the laws into effect, was possessed by the king. He appointed to all the offices and places, the nomination to which had belonged to the grand pensionary, and possessed all the pre-eminence and prerogatives attached to that dignity. The coin was to bear his effigy. Justice was to be administered in his name; and the power of pardoning offences and remitting punishments was to be possessed by him, although not to be exercised without an audience of the members of the national court in the privy council. The regent, in case of a minority, should be the queen, otherwise some person appointed by the emperor, who should always have natives for counsellors, and never be personally responsible for the acts of administration. The government and internal administration of the colonies were exclusively vested in the king; and the general government of the kingdom was to be under the immediate inspection of four ministers of state, respectively for the interior, for finance, for naval and military concerns, and for the department of foreign affairs. With respect to the law, the fourth part declares it to be established by the union of the legislative assembly of their high mightinesses and the king. The legislative body was to consist of thirty-eight members chosen by the different provinces for five years; and on the present occasion, as nineteen members were necessary to complete that number, for every place to be filled, their high mightinesses, and the departmental assemblies of each department, were each to present a nomination of two persons, from whom the king should make his choice. The present grand pensionary was to take the office of president of their high mightinesses, for life, and his succesor was to be appointed agreeably to the dispositions of 1805. The legislative body should in general assemble twice a-year for the space of about six weeks or two months, and might be summoned by the king on any extraordinary occasion: and on the 15th of November in every year, after the few first instances, which should be regulated by lot, the eldest five of this body should go out, without losing their re-eligibility. With regard to the fifth and last part of this code, and which treats of the judicial power, the power attached to the late pensionary devolved on the king, and the judicial tribunals remained also upon the former establishment, excepting that a particular law was to regulate the administration of criminal justice on military affairs.

What portion of freedom was likely to be allowed by the new government, was soon collected from the circumstance of the suppression of a public paper called the Amsterdam Evening Journal, the editor of which had certainly

taken undue liberties, and might in a free country have reasonably incurred penalties from the ordinary tribunals. But by the suppression of this paper by the royal edict, Louis manifested to his people his attachment to that summary process which despotism ever prefers to the tediousness and uncertainty attending public forms, and courts of justice; and in thus confounding the judicial and executive administration of power, too plainly evinced that he had more at heart the extension of his own authority, than the dignity and liberty of the people whom he governed. The constitution itself, however, of this new kingdom is by no means the establishment of an unqualified monarchy, and in better times may lead to a system of polity, which shall unite the due limitation of power with the complete security of order.

The pressure of the armies of France upon the German territories, while Bonaparte was watching the motions of his neighbours, or carrying into effect his projects of spoliation, was great, and contributions were levied by him on the inhabitants not only without reluctance but without moderation. In these circumstances, complaint was expressed in a tone of firmness and animation. The spirit of resistance was summoned to its noblest exertions, in a variety of publications which soon attracted the notice of the French government. Orders were given for the apprehension of various booksellers in Franconia, Bavaria, and Swabia, who were carried to the fortress of Braunau. Among these the fate of John Palm, a resident of Nuremburg, which was one of the free towns of Germany possessing laws and tribunals of its own, attracted particular notice. This person was the publisher of a pamphlet entitled "Germany in the lowest State of Degradation," which had been read with great avidity. He was in consequence arrested by order of the French government and dragged to Braunau, charged with the publication of a work libellous against the French emperor, and tending to mislead the people of the south of Germany. A court martial was held on his case, consisting of general Berthier, seven colonels, and an adjutant with a reporter. After sitting for three days, Palm, who had not been present during the depositions, was brought into court, where the evidence was read to him; after which he was ordered to withdraw, and the court consulted about the extent of his guilt and punishment, and adjudged him to be shot within 24 hours. This proceeding, although affecting immediately only an obscure individual, excited considerable attention and indignation throughout Europe, in several countries of which subscriptions were raised for the family of the deceased: and although the chief of the French government did not personally appear upon the bloody stage, he incurred that odium which might naturally attach to him from the consideration, that the performers on the scene must have been at least well aware of his approbation of their conduct, and that he has ever entertained a decided enmity to that freedom of the press which is certainly the most formidable foe to tyranny, and will eventually effect its extermination. The state of the press in France is just such as in these circumstances might be expected. No foreign publications are permitted to be imported without

out an express sanction, and the British journals are excluded from circulation with the most anxious solicitude. From the certainty that any work including free strictures on the conduct of public affairs, would expose its circulators to the swift infliction of vengeance proportioned to the energy and the truth with which they were delivered, nothing in the form of censure on these topics is ever exhibited. Every page of politics is a panegyric on the imperial administration; and even science has condescended to adopt the adulation of the public journals, and to extol the liberty as well as glory of the great nation.

The attention of the religious world was particularly drawn by some events occurring this year in France in relation to the Jews. The situation of this people has ever interested those who have adverted to their universal dispersion through barbarous and civilized nations, without melting in either case into the common mass, and sinking their national language, manners, or religion, to which with inviolable fidelity they have adhered, amidst that scorn and persecution which through a long succession of ages have been their only inheritance. Liberal religionists have thought they saw in it some corroboration of their faith, attended with certain inexplicable difficulties: speculative men of the world have found in it a moral problem, for which their utmost ingenuity has been unable to furnish a satisfactory solution; while the humane of all descriptions have viewed with sentiments of the most sincere commiseration, a race of people, who, inheriting a tainted reputation, are precluded, perhaps, from the very strongest motive to upright and manly character, and, despairing to derive estimation, like other men, from virtue, not unnaturally plunge into all the circumventions of fraud and all the profligacy of dishonour. Complaint had been repeatedly communicated to the emperor from various departments, of the fraudulent and usurious conduct of these people; and deputations from the Jews scattered over the various parts of the empire, were ordered to appear at Paris in an assembly, which might hold conferences with the government for the correction of the evil complained of, and the consideration of other subjects, interesting to their body in particular and also to the nation at large. The assembly soon met in consequence of these instructions, and was opened by a commissioner of the government. Their meeting was stated to be pregnant with very important consequences. They were now for the first time to be judged by a christian prince with fairness and impartiality. It would be their wisdom not to suspect the beneficial intentions of government, and, showing no desire to separate from other classes of society, to co-operate with the kind exertions of the emperor, whose ardent desire it was to see them become genuine Frenchmen, and who demanded their attention and deliberation on various questions, to which it was expected they would reply with perfect freedom and explicitness.

In answer to several of the questions presented to them, they, after several discussions, at length stated, that their law permitted polygamy, divorce, and mixed marriages, which were, however, modified by usage. In reply to the questions relative to the duties of

French citizens, their answers were in a high degree satisfactory. The imperial commissioner attended at the assembly of the Jewish deputies some time after the delivery of these answers, and expressed his majesty's approbation of them. In return for the free exercise of their religion, and the full enjoyment of their political rights, the emperor observed, through his deputy, that he exacted a religious guarantee for the observance of the principles announced in their answers. For this purpose, it was requisite that these answers should be converted into decisions by an assembly of a more impressive and religious form, that they might be placed by the side of the Talmud, and acquire the greatest possible authority. It was therefore proposed to convoke the grand Sanhedrim; which, having fallen with the Temple, would now re-appear to enlighten the people in the law, and to animate them to the love and defence of that country which was the only one wherein they had been permitted to attain any respectable notice since the ruin of their ancient polity. The Sanhedrim should consist of sixty-six members, and a committee of the present assembly should be appointed to arrange the subjects of discussion for that grand council, whose convocation they were to announce to all the synagogues of Europe.

The anticipated consequences of these events, respecting a nation which from its first bondage in Egypt has been exposed to the perpetual abhorrence of the world, from the unsocial spirit and ferocious fanaticism of its manners and institutions, varied in different minds according to their respective habits of speculation or prejudice. Judicious observers, however, were pleased with beholding evidences of that progressive reason, which, by slow indeed, but certain influences, ameliorates the affairs of the world; and the removal or mitigation of sectarian hatred, the abandonment of inhuman ceremonies, and the elevation of a degraded race of men to usefulness, to estimation, and dignity, were conceived to be the tendency and object of these extraordinary measures of the French government, which were, however, speedily suspended by the more urgent events which pressed upon its attention.

The range and multiplicity of subjects which occupied the attention of the chief of this government, are not undeserving of notice. It might seem as if nothing was too vast for his comprehension, or too minute for his observation; and it appears impossible not to admire the facility with which he personally directs the details of affairs, civil as well as military, the most complicated and the most various. Not merely to the transcendence of his genius, but also to his indefatigable and incessant application of it, he is indebted for his almost uninterrupted success. He inspects every thing with his own eye. He labours with more industry than any secretary or clerk in office. His principal relaxation is in the variety of business. He considers the refreshments of nature "not as the premium and privilege," but as the task of life. He appoints to stations of distinction, those only who by experience or talents are qualified to discharge the duties of them, and superintends that discharge with a vigilance which will not permit the approach of delinquency or remissness. These are qualities which merit imitation, and enough will still

still remain to gratify those who are delighted with censure. No formidable adversary to any nation or individual ever yet existed, from whom something valuable might not be imitated, and the most effectual way to injure an enemy, is to follow his example in those judicious regulations which have led to his success. The industry of Bonaparte may be copied by those who detest the ultimate object of it. In his bestowment of honours upon merit, in his inspection into the abuses of administration, he may be resembled, not only without disgrace but even with honour, while that boundless thirst of power, which prevents the repose of harassed Europe, receives all the reprobation which it merits. His temperance and energy, his prompt decision, his steady vigilance, his unwearied assiduity, may be praised, and at least partly imitated, while he is justly condemned for his spoliation of peaceful states, and breach of the most solemn engagements, for that policy of expedience which admits no moral check to the enterprises of his ambition, and that abject prostration of his country's rights, amidst which he asserts the perfection both of her glory and freedom.

CHAPTER XI.

Views of the New Ministry to Peace—Commencement of Negotiation—Appointment of Lord Yarmouth to conduct it—Difficulties about Russia—Arrival of M. d'Oubril at Paris—a separate Peace signed by Russia—High Tone of the French Plenipotentiaries—Mission of Lord Lauderdale—His first Efforts—The Imperial Communication to the English Minister—Non-ratification of D'Oubril's Treaty by the Emperor of Russia—Near Prospect of War between Prussia and France—Rupture of the Negotiation—Peace between Prussia and Sweden—Prussian Declaration—Battle of Schleitz—Battle of Jena—Successes and Skill of the Duke of Berg—Surrender of Prince Hohenloe—Retreat of General Blucher—Bonaparte's Entry into Berlin—Seizure of Hamburgh—Blockade of the British Islands—French advance to Praga—Defeat of the Russian Forces under Benningsen and Buxhovden—Retreat of the Russians—Situation of the King of Prussia—Conduct of Bonaparte and his Enemies.

THE new ministry soon after entering upon office, having taken a clear and full view of the state of the country, appear to have formed the resolution of directing their views to the accomplishment of a peace with France. About this period, a project for assassinating the French emperor was communicated by a foreigner to Mr. Fox, who immediately transmitted to M. Talleyrand a statement of the circumstances, with some detail of his feelings on the occasion, observing, that, as an honest man, he thought himself bound to make this communication to the French government; adding, that he would not send away the prisoner till full time had been allowed

allowed for precaution against his attempts, and then to some part of the continent as remote as possible from France. In a respectful reply to this letter by M. Talleyrand, is introduced, unofficially, an extract from the emperor's speech to the legislative body, expressive of his wish for peace with England, and his readiness to negotiate for it without a moment's delay, agreeably to the treaty of Amiens. Mr. Fox on the 26th of February, in a letter to M. Talleyrand, states, that he had laid before the king that part of his private letter relating to the pacific wishes of the French government, and he expresses the ardent disposition of the British cabinet to smooth the obstacles in the way to peace, a basis for which would be best formed by the reciprocal acknowledgment of the two nations, that the peace should be honourable both for them and their allies, and calculated to secure the future repose of Europe. Such, however, were the ties existing between England and Russia, as made it necessary to observe, that the latter could not treat, and much less conclude any thing, but in concert with the emperor Alexander, who, with fewer interests to discuss with France, was warmly concerned in the greater or less degree of independence enjoyed by the different states of Europe. His majesty's name being thus introduced into the discussion by Mr. Fox, the intercourse began to assume an official aspect. M. Talleyrand was authorized by his master to declare, that France wished for nothing that England was in possession of, and was only desirous of repose, and the unobstructed exercise of her industry; that the emperor adopted the general principle laid down by Mr. Fox, that the peace should be honourable for the two courts and their respective allies; that, while he was ready to make every concession which the naval preponderance of England could justly claim, he reasonably expected in return proposals conformable to the honour of his crown and the commercial rights of his dominions. But he conceived, that two enlightened and neighbouring nations would not do justice to their own dignity and wisdom, in calling for the intervention of a foreign and distant power in the discussion of the great interests by which they were divided. To obviate some of the inconveniences attending the existing mode of communication between the two governments, lord Yarmouth, one of the persons who had been detained by Bonaparte at the commencement of the war, was induced, at the request of the French government, to go from Verdun to Paris, and was invested with powers as a diplomatic agent. In his first conversation with M. Talleyrand, the latter specifically detailed to him the reasons which had been urged against admitting Russia to a concert in the treaty with Great Britain; soon after which his lordship suggested that a medium might perhaps be discovered, by which the object desired by the French government, and that of Great Britain of not treating in a manner unconnected with Russia, might be obtained: to which the French minister replied, that they were ready to give every facility to the arrangement of the respective interests of the two powers, or that the British minister might be authorized by the emperor Alexander to stipulate also for him. From the expression of M.

Talleyrand, that France demanded nothing of Great Britain, rather than from any explicit and unequivocal statement that appears in the documents, it was understood that the basis of the treaty was to be the *uti possidetis*, with exchange upon equivalents. Respecting Hanover, as it was seized without the due exercise of the rights of war, taken from the elector, and not from the king of Great Britain, it was made a point of honour by Mr. Fox to procure an agreement for its restoration at peace without exchange, as a preliminary to negotiation, and it was conceded to lord Yarmouth in his second interview, that, in consequence of the stress laid upon this subject by the English minister, Hanover should make no difficulty. Sicily also was an important object of attention; and lord Yarmouth was instructed to urge the retention of it, as indispensable to the continuance of the negotiation. In the above conference, the question relating to Sicily was explicitly proposed by his lordship, who was answered by the observation, that the English were in possession of that island, the French therefore did not demand it of them; and that, if it had been otherwise, the difficulties of the negotiation would be very considerably increased; another circumstance from which the admission of the *uti possidetis* by the French government was inferred by the English. At the conclusion of this interview M. Talleyrand observed, in coincidence with that spirit of politeness and conciliation with which it had been conducted, "the sentiments of France are extremely different from what they were. The asperity which characterized the commencement of the war no longer exists, and what we most desire is to live in harmony with so great a power as Great Britain." Lord Yarmouth was now dispatched to London to communicate personally (particularly on the subject of Hanover, on which the French government declined to commit itself in writing) with Mr. Fox; and having discharged the object of his mission at London he returned to Paris. About this period a circumstance occurred which had an important influence on the state of the negotiation. This was the arrival of M. d'Oubril at Paris, with full powers from the Russian government to conclude a peace. The court of France had for some time known, that that of Russia was not averse to negotiation, and expected an authorized agent for this purpose; and with this expectation it connected the hope of detaching the interests of that empire from those of Great Britain, and of inducing the Russian plenipotentiary to a separate pacification. The intercourse between the Russian and British ministers does not seem, even at the commencement of their joint residence at Paris, to have been precisely of that confidential and intimate nature which might have been expected, from the disposition which had been ever manifested to unite the interests of both nations in a joint treaty of peace with France, by the British ministry, whose honourable and undeviating firmness on this subject must have commanded universal admiration. To remove the difficulty in the way of this joint settlement, had been the object of their perpetual efforts and ingenuity. The British agent also was instructed to make it an object of express and particular provision to procure a Turkish barrier, knowing not only its

its importance to the general interest of Europe, but having reason to presume that the greatest stress was laid upon it by the emperor of Russia. The retention of Sicily was demanded with decided determination. Proposals of exchange and equivalent were perpetually rejected on this subject, supposed so indispensable to the Russian cabinet. And when, after lord Yarmouth's return from London, M. Talleyrand, on being recalled to the case of Sicily, explicitly stated, that circumstances were materially changed, and that, during the pending of discussions for the termination of hostility, either power was always at liberty to avail itself of the contingencies of fortune or the changes of opinion that might occur, and intimated that the cession of Sicily was indispensable, lord Yarmouth had instructions to state, that if he could not recall the French plenipotentiary to the basis of possession, he should in the most decided, but at the same time the most polite terms, demand his passports. Yet after all this determination and energy had been manifested with respect to Sicily by the cabinet of London, M. d'Oubril expressed a wish, that England would admit the possibility of an equivalent being found for that island, if its monarch could be persuaded to accept it. The full views of the Russian minister were not at this time developed; and it was thought proper by the British ministry distinctly to admit, that, if an equivalent could be found for Sicily, with the approbation of king Ferdinand, it should be accepted. While this equivalent was in discussion, M. d'Oubril communicated to count Strogonoff, the Russian ambassador in London, the proposal which had been made to him of concluding a separate peace with France; the object of which communication, probably, was, to sound the disposition of the British cabinet. On the suggestion by the count to Mr. Fox, that such an overture had been made, which it was impossible indeed for him to have doubted, he scrupled not to express the most marked disapprobation of whatever would tend to such a result, stating, that the enemy would thereby be encouraged to the most extensive hopes of carrying into effect his plans of aggrandizement; that by such a course Europe would be deprived of all effectual resource amidst the new projects of danger entertained against it by France; that above all things, therefore, England and Russia should combine their efforts for pacification, and leave the enemy no expectation of destroying that union, which, so far as it depended on the king of Great Britain, would ever remain indissoluble. While these dignified remonstrances, however, were urged against the measure by the British cabinet, general Clarke received from his government express powers to treat with M. d'Oubril for a peace between the two empires, and conferences with a view to this object were held in rapid succession and of extreme length. Just before the well known result of these conferences actually took place, when circumstances had occurred confirming his suspicions and fears, lord Yarmouth pressed the Russian ambassador closely on the subject of this separation; who admitted that he had produced his powers, and that, if certain conditions could be procured by him, he should certainly sign a truce of ten months; and in the imminent

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danger of Austria, if he could thus save her by a separate peace, he should think it his duty to do so. Every argument to prevent this measure was employed, that the ingenuity of the British agent could suggest: every appeal to policy and honour, which the circumstances supplied, was urged with all the energy of wounded sensibility; but they appeared to be applied to a man who had come with a predetermination to accomplish a peace at whatever expense, whether good or bad, and with or without the concert of Great Britain. Within three days from this interview and remonstrance, the separate treaty between France and Russia was actually signed.

When the British cabinet knew that Russia had made peace, and without any stipulation whatever on the subject of Sicily or Naples, which were not even mentioned in the treaty; agreeing at the same time to abandon Cattaro and Dalmatia, contenting herself with the establishment of the Seven Islands, the general guarantee of the Turkish empire, the independence of Ragusa under her protection, and the engagement for withdrawing, within three months, the French troops from Germany, their astonishment was extreme. Any hope that the Russian plenipotentiary had materially exceeded his instructions, so as to justify a refusal of ratification on the part of the emperor, seemed counteracted by the known ability of the plenipotentiary himself. Had the power of infatuated or insane caprice invaded the grand depository of Russian authority himself? a case which, under the autocracy of that government, might ever be suspected, and of which a recent and flagrant precedent was upon record. The Russian ministry under whom D'Oubril had received his appointment, it was true, had been changed; but, as that administration had ever been firm adherents to the English connection and the true interests of their country, so, from their successors the British cabinet had received the most unequivocal pledges for continued concert in war or peace. Yet, again, time had expired since their accession to office, for their communication of corresponding instructions to M. d'Oubril at Paris, who, however, it was certain could have received no such instructions. Such was the existing chaos of circumstances, in which conjecture only could be substituted for conclusion, and which baffled a penetration perhaps never exceeded.

But, whatever inconvenience might be supposed to have resulted from the separate treaty of Russia, it at least liberated Great Britain from all engagements to that power, and diminished that complexity which had hitherto embarrassed the discussions for peace, and which originally prevented a compliance with the proposal of France to send over a public minister openly accredited. This difficulty being now completely removed, the British government, immediately on the receipt of the intelligence respecting D'Oubril's treaty, appointed lord Lauderdale, with lord Yarmouth indeed in conjunction, to this situation of responsibility and delicacy. The court of France, it may easily be supposed, were at least as much delighted at the success of their policy with regard to Russia, as England was surprised and disgusted at it. It was soon observed by its plenipotentiary, that, as the season of the year was now arrived for accomplishing the

the ulterior views entertained by France, no arrangements which had for their object the removal to a distance of months, or even weeks, the conclusion of a definitive treaty with England, could be permitted. The Russian treaty was represented as equal to a splendid victory, and as entitling France to terms proportionally more advantageous than she would formerly have yielded to. Before the arrival of the new plenipotentiary from England, or the knowledge of his appointment, in an interview between lord Yarmouth, who had indiscreetly announced his full powers, and general Clarke, who had been appointed to conduct the negotiation with his lordship, the French minister stated, that the consent of Great Britain was demanded to the arrangement proposed respecting Sicily by France; and although some great points might, in justice, be withdrawn in consequence of the high situation of the emperor, as he had, however, committed himself upon them, they would remain untouched. Hanover would be ceded; Malta should be confirmed in full sovereignty to England; as likewise the Cape, with an expressed desire that the port, at least part of it, should be made free to all nations. The guarantee of the Porte, of Spain throughout all her foreign dependencies, and of the dominions of Sweden, should be acceded to by both powers. England should recognise the recent titles and establishments of France or her allies, and cede all other conquests which she had made, in any part of the world, to those nations from whom they had been made. These demands were the subject of long conferences between the plenipotentiaries, without any admission on the part of lord Yarmouth, of the possibility of his majesty's making the cessions demanded, and with a view, as he states, to ascertain to what extent, and in what manner, they might be modified.

In a short period after this, lord Lauderdale arrived at Paris. His first efforts were directed to fixing the negotiation on a certain basis. With this view he laid before general Clarke a paper, in which he stated how much the king of England had been pleased with the original proposal on the part of France, for treating on the principle of the *uti possidetis*, which, with the exception of the case of Hanover, was to have been scrupulously observed. This proposal had not indeed been made directly by an accredited minister, but was of undoubted authenticity, from the character of the person who was the medium of its communication, and from its coincidence with the original declaration of the French minister for foreign affairs, that France wanted nothing which England possessed; a declaration the natural prelude to a proposal, which appeared the only one likely to lead to an accommodation between nations in possession of extensive and valuable acquisitions, which could not, in all probability, be changed by the continuance of hostilities. By the demand of Sicily, however, this principle had been most obviously infringed, and it was necessary, therefore, to revert to it; while it was at the same time admitted, that Sicily might possibly be ceded upon indemnity or equivalent. Since the first proposal of this basis of treaty, France had indeed made peace with Russia; but she had, on the other hand, concluded very considerable and extensive changes in Germany,

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most decidedly to her advantage; and England was at all events entitled to negotiate with France on equal terms, insisting on the obvious truth, that to both parties hostilities were equally injurious.

This statement of lord Lauderdale was laid before the head of the French government, and on the next day was replied to by a communication under his authority and direction. The tone of this impassioned reply could indeed leave no doubt of the too active intervention of a party most nearly concerned in the subject of it. That dignified remoteness of principals, in discussions of diplomacy, which has been the practice of civilized courts, so favourable to free investigation and just conclusion; and which is, indeed, the only mode of preventing the oppositions of opinions from being involved in the conflict of the passions, has been too frequently violated by the court of St. Cloud. For the decorum of ministerial agency it has substituted that irritation and asperity which almost uniformly attend the champion of his own cause, and employed frequently that pen of iron, which, instead of blotting out injuries, inflicts wounds. The undeviating policy of France was stated in this reply to have been, not to treat with England and Russia in conjunction; a point which, although long insisted upon by England, had been at length abandoned by her. Lord Yarmouth had been appointed an accredited minister for treating. Since that, Russia had made a peace with France, and conferences of a free and ingenuous character had taken place between the appointed ministers, almost daily, and of long duration, instead of conducting the negotiation by notes of greater or less ingenuity, which, far from approximating the grand object in view, removed it to a greater distance, and were the beginning of controversies not less injurious to nations than open hostility. In these conferences the emperor had granted all that was possible without sacrificing the dignity of his crown and the interests of his allies. The plenipotentiary was permitted, by his majesty, to advert to the vain question, the basis of the negotiation, which had been far advanced and on the point of ultimate success. The principle of Mr. Fox, proposed in his letter of the 26th of March, that the peace ought to be honourable for both parties and their allies, was fully adopted in the reply. In M. Talleyrand's letter to Mr. Fox, his excellency went further, and suggested the establishment of two fundamental principles, as a basis: the first, that just stated; the second, a mutual acknowledgment of the right of guarantee and intervention by both powers, in continental and maritime affairs. This was the basis adopted by the British government. The French emperor could not have thought of taking the *uti possidetis* for the basis of negotiation. If such had been his intention, he would have retained his conquests in Moravia, and Hungary, and Austria, in Italy, and in Germany; and would then willingly have acceded to the proposed foundation of treaty. And with regard to Sicily, this would also have been comprehended in the required principle, as he would have secured the possession of it before he opened negotiation; which he would have been enabled to do through its vicinity to the shores of Italy. And if the detaching of the Cape and other Dutch dependencies

dencies from the kingdom of Holland were to be insisted upon, this would prevent the capability of the existence of Holland as a distinct nation, and her incorporation with France would be the natural and necessary consequence; a change, to England, of extreme importance and danger. Under these circumstances, with Hanover a province of France, and Trieste and Fiume, with their territories, to be attached to Italy, Great Britain might securely be allowed to keep all that she pretended to, and have the full application of the *uti possidetis*. In the suggestion of such a basis, it must have been thought, that the emperor was reduced to a state of extreme humiliation and distress. So far as it would tend to deprive France of her commerce, and all her establishments, and to effect the ruin of her allies, so far the basis was to be preserved. So far as, by the verification of it, France would be compelled to renounce her engagements, and break her treaties, and dissolve her continental system, to that extent it was to be infringed upon. But the longest war would be less disastrous than such mean concession. The peace could never be deemed honourable, were the emperor to lose a single island or a single subject; and therefore neither should Tobago, nor any other colony, in the same manner belonging to him before the war, be on any condition alienated. The very idea of the basis mentioned was considered by him as disgraceful.

It certainly may be regarded as a singular circumstance, that, after an intercourse of months, the actual foundation of the treaty was not so decidedly established, not by oral declaration but by written and irrevocable document, as to admit of no possibility of dispute or denial. And although it can scarcely be presumed, that, whatever basis had been adopted, (as it was admitted, that, during the discussion, a variation of the terms was allowable according to the nature of the contingencies which occurred in its progress,) the terms of that government would have been materially different, yet this clear and decided establishment would have tended to prevent those odious imputations of falsehood, those exasperating charges of treacherous forgetfulness and convenient duplicity, which were at least insinuated, and which were calculated so directly to oppose that great work, which required at every step the spirit and language of extreme conciliation. In observation upon the French note, the substance of which has just been given, the discussion by notes is vindicated by lord Lauderdale, not only by the general assertion of their tendency to remove difficulty by clearing and fixing the ideas of the parties in debate, but by the pointed remark, that the existing negotiation had been brought by it almost instantly to an unequivocal issue, and which it must have attained some months before, had the practice been originally adopted. As to the stated advance towards maturity of the discussions under general Clarke and lord Yarmouth, the latter remarked, that, instead of being nearly completed, the negotiation had scarcely commenced, and that the conferences, so boasted of, consisted almost entirely of demands made by France which could not possibly be admitted by England, while the English agent kept within the line of that basis, which, when first proposed to his Britannic majesty, had been felt

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by him to be peculiarly applicable, and the decided renunciation of which was now so sincerely to be regretted. The delivery of the present note was stated to be only a prelude to a demand for passports, an application for which was accordingly made on the ninth of August, in a note which stated, that the pretensions of the French government, advanced in their last communication, being so incompatible with the basis formerly proposed by them, the English plenipotentiaries were left no other alternative than to return to their own country, for which purpose they requested the necessary passports.

These passports, however, the French ministers neglected to send, and, after a considerable interval of time, excuses were made which could by no means vindicate the procrastinated yielding to a demand, of which nothing can justify the delayed grant, but an impossibility of immediate compliance. Indeed, the conduct of the French government on the subject of passports is deserving of extreme reprehension, not merely in the instance just mentioned, but subsequently, when the application was renewed and repeated, and reiterated in terms of the most dignified remonstrance, but was received only with the most profound neglect. The circumstances and views of the English plenipotentiaries, who were desirous to complete their mission with the least possible irritation, and the fullest testimony of the sincerity with which it was undertaken, might, perhaps, justify them in not proceeding beyond the point of dispassionate but decided reference to the dignity of sovereigns and the laws of nations, while many would certainly have approved the most animated and indignant appeal. But all must unite in condemning that flagrant violation of established usages, respected even by savage nations, which it was not to be expected would occur in a country which boasted itself as the very focus of European civilization. The note above mentioned, demanding passports, and alluding to the grounds of the application, was at length noticed by a communication, in which it was observed, that, the English ministers having again brought forward the basis of the *uti possidetis*—as it was not to be supposed that England meant to exact every convenient restitution from France, and to keep all that she had herself acquired, the French plenipotentiary requested an explanation of what conquests England was desirous to keep; what she would restore to France and her allies; and what she wished to have ceded by France. This explanation would unfold a system of compensation which would give an idea of the principles and intentions of the British cabinet, and it would be possible to ascertain what engagements would be involved in the adoption of the desired basis. As a medium of exchange and compensation the emperor would not decline its adoption, because it was conformable to the two principles already laid down. In reply to this request for explanation, lord Lauderdale observed, that so far from wishing for every convenient restitution from France, the principle insisted on, as a basis, to be scrupulously observed, except with respect to the peculiar and admitted case of Hanover, included the retention by France of all her valuable accessions of power and influence. That the basis appeared too obvious in itself to require ex-

planation, and the verbal discussions between the plenipotentiaries had sufficiently proved how fully it had been understood by them all: it was only possible therefore for the English plenipotentiaries to insist on the recurrence to that principle, on which condition alone they were authorised to continue the negotiation, and on the adoption of which they would proceed to the instantaneous discussion of other points; congratulating both nations on the prospect that would thus be opened for effecting a peace calculated for their mutual honour, and to ensure the tranquillity of Europe.

One or two conferences after this took place, at the particular request of the French plenipotentiary, and from the urgent desire of lord Lauderdale to give effect even to a chance of the success of his mission. In these it was urged, that Hanover, the Cape, and Malta, would make a glorious peace for England: but that the fate of Hanover must irrevocably be determined in eight-and-forty hours. The determination, however, of the French emperor was stated so decidedly against surrendering the smallest particle of French territory, rather than do which, he would continue the war to the last day of his existence, as to leave his lordship no alternative but the resolution of immediate return.

About this period another important incident, or æra, occurred in the negotiation, which was the non-ratification of the Russian treaty with France.

When lord Lauderdale called on the French ministers definitively for those passports which had been so inexcusably withheld, they exhibited the most striking appearance of conciliation and cordiality. They expressed themselves on the subject of the French possessions in the East and West Indies, and on the Dutch colonies, in terms so perfectly different from the high tone which they had recently manifested on those subjects, that his lordship felt the most complete surprise, and was led to imagine their intention was at length to make the cessions required. This change was speedily explained by the event which had occurred at St. Petersburgh, and M. Talleyrand admitted, from the emperor, that, in consequence of the non-ratification of the Russian treaty, he was disposed to make peace with England on terms more favourable to her than he would otherwise have yielded to, and would give his plenipotentiaries new instructions accordingly. His lordship was thus raised to much higher ground than he had before occupied. He was soon instructed to declare, that the non-ratification of Russia had replaced the two courts in their former state of close and intimate alliance: yet, that, as before admitted, while their actual concert was most substantial and complete, they might treat separately in form; that the *uti possidetis* was considered absolutely indispensable, most peremptorily including Sicily, which only the suggestion and wishes of M. D'Oubril had, for a moment, induced the British ministry to think of abandoning for an equivalent: that not being officially empowered by Russia to treat for her, he could treat at all only provisionally: that any pacification between France and England, therefore, must be agreed not to have effect till peace took place also between France and Russia: that the existing most friendly intimacy between the two cabinets of London and Petersburgh had, however, enabled his

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court to give him full information of the intentions of that of Russia, and he was authorised to state the conditions of a peace with that power, and to reduce them into the form of a treaty. In a conversation on those subjects with M. Talleyrand, his lordship urged the invariableness of the terms resulting from the required basis, observing, that with regard to Russia he should be as decided as to any point more peculiarly British, and adding, that the irregularity of his proceedings, in relation to that court, was absolutely inevitable, as he had no power from the emperor; and his Britannic majesty's principles and feelings would not permit him to think of negotiating, but in such a manner as might insure to the Russian court an honourable peace, at the moment when peace was concluded between France and England. This rendered it necessary that the objects of Russia should be permitted to be stated in this unofficial, though at the same time clear and authentic, manner.

It may be proper here to digress for a moment, by remarking, that the relations of France and Prussia had, before this period, undergone a material alteration. It had been sufficiently understood by Prussia, that, in the deliberations at Paris on the subject of peace, Hanover had been insisted upon by England, and agreed to be yielded by France. The irritation occasioned by this circumstance may be presumed not to have been small. Hanover had long been the favourite object of Prussian ambition. This had been the successful lure offered by Bonaparte to prevent her union with the third coalition. This had been the price of her honour, the reward of her perfidy. Without that courage which gives a comparative respectability to some acts, even of baseness, she had only gradually developed her views upon this territory! She first occupied it for its preservation from the evils of war, and in trust for its rightful owner, and only till the conclusion of peace. Its civil and political administration was not for some time connected with her military possession. She was at length *compelled* to possess it in full and irrevocable sovereignty: but the very power which immediately authorised her sovereignty, and enjoined her open and explicit avowal of it, would now force her to abandon it. She was offered, indeed, some frivolous substitute, so minute, however, as to excite the overwhelming conviction that she had been treacherous for trifles, instead of solid acquisitions; and had gained scarcely any thing besides the ruin of her honour. The bait which she had swallowed with all the voracity of unprincipled ambition, was now to be plucked from her vitals, amidst the tortures of regret and mortification. The cabinet of France, which had tempted her degradation, seemed now to despise her baseness, to defy her power, and to laugh at her folly; and, having helped to accomplish her guilt, to exult in the exposure of her infamy. In addition to these impressive and poignant circumstances, the federation of the Rhine had given her considerable uneasiness and alarm. Agreeably to the suggestion of France herself, Prussia had been taking measures for forming a similar confederacy in the North, under her own immediate presidency. The electors of Hesse and Saxony were to have constituted the principal branches of this union; yet scarcely had these measures commenced, when

Bonaparte thought proper to interfere for the prevention of their success, under the allegation, that Prussia was employing compulsion on independent powers to effect this object of her policy. Attempts were also made to detach the elector of Hesse from that intimate alliance with the Prussian court, in which he was confirmed by family union, common interests, and private attachments, and to unite him with the Southern incorporation. Thus the very project which France had suggested, France was counteracting by the subtleties of intrigue, and the menaces of vengeance. The continuance of the French troops in Germany, where they were so stationed as to be in readiness for every call of circumstances, and where they remained to the impoverishment of those miserable districts which they occupied, was another circumstance agitating and exasperating to the feelings of Prussia. In short, a variety of causes concurred, tending to bring to an issue the uncertainty of that relation which had long subsisted, that irritable state, in which, under general professions of respect and attachment, one party had indicated fear, and the other contempt, and in which, repeated concession had led only to renewed and aggravated encroachment.

But as there is a point of degradation and insult at which even cowardice is stimulated into courage, the Prussian court appeared to be assuming that tone of decided hostility, which a long retrospect of French injury and contumely, even in such a court, might be expected to excite, especially when impelled, as it was, by the ardour of the military and the general feeling of the nation. This, then, was another circumstance which appeared to have improved the situation of the English plenipotentiary: for, however France might despise the servility and meanness of the Prussian cabinet, the Prussian army constituted a formidable power. It seemed worth while, therefore, to preclude by negotiation a fourth coalition, which, if absolutely necessary to be encountered, Bonaparte might, not unnaturally, believe, would meet the fate of all the preceding, but which, instead of being wantonly provoked, ought to have all reasonable means applied for its prevention.

Recurring then to the negotiation with England, in reply to the statement of lord Lauderdale, so explicit with respect to the Russian concert, and the principle of pacification so long insisted upon by the British government, M. Talleyrand observed, that he should waive all form, and would receive his proposals on the subject of Russia; with respect to which, he objected, not to his lordship's want of powers, but to the unusual circumstance of concluding a treaty, which, when signed, was to take place only in consequence of a particular event. He exhibited every appearance of a disposition to complete accommodation, and of a conviction, that no serious impediment remained to its accomplishment. After a conversation tending fully to impress his lordship with the idea that peace was the main object of France, and that she was ready to make any reasonable sacrifice in order to procure it, he read to lord Lauderdale a paper, with respect to which, he previously observed, looking somewhat intently at his lordship, that there was a mixture in it of something which, probably, he would not like, but he must take the evil with the good.

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In this paper his imperial majesty regretted that the negotiation daily seemed to take a retrograde course, by bringing forward obsolete forms, and renewing questions which had been repeatedly settled: nevertheless, to give a fresh proof of his desire of peace, the emperor agreed, that the British plenipotentiary should be at liberty to introduce into the treaty whatever he conceived would tend to reconcile the existing difference between France and Russia, and procure for the latter a participation in the benefit of peace; it being well understood, that no proposals would be admitted but such as were honourable to both emperors, and not injurious to their allies: far different, of necessity, from those absurd propositions made by M. Novosiltzoff, which were the result of blind confidence and infatuation. France would not consent to abandon the interest of the Ottoman Porte, nor to quit a position which would enable her to sustain that empire against the openly menaced aggressions of Russia. If England still wished for peace, she might have it without delay, and the emperor would, without hesitation, make some sacrifices to accelerate it. If the just and liberal views manifested in the first communications which took place with the illustrious minister, whose death both nations so much lamented, should no longer prevail, vague discussions, immoderate pretensions, and ambiguous proposals, instead of a tone of frankness and dignity, would only tend to irritation. France did not pretend to dictate either to Russia or England, nor would she be dictated to herself; and if an imperious and exaggerating spirit were evinced, and pre-eminence affected; if it were intended to dictate peace, the emperor of the French would follow the precedent set by an illustrious nation of antiquity, relying on its own strength, and reply, "You demand our arms,—come and take them."

Without any assistance from the comment which M. Talleyrand furnished on this note by his apologetical expressions, and the significant glance of his eye, it is impossible not to observe in it that minute interference of high authority, which had already manifested itself in the course of these discussions, and is ever most seriously to be deplored. When monarchs descend from their dignity to figure in the diplomatic arena, the chance of accommodation to hostile kingdoms, if not destroyed, must always be greatly impaired: concession is made with extreme difficulty, retractation is, perhaps, only not impossible; language assumes an imperative and censorial character, naturally flowing, indeed, from habits of uncontrolled dominion, but not the less calculated to excite repulsion and disgust, and remove to an unattainable distance the object of all deliberative intercourse between contending nations. Such, equally inconsistent with dignity and policy, is the criminative and overbearing style of this imperial note: in which, nevertheless, it seems sufficiently clear that Bonaparte felt the pressure of circumstances, and considered himself obliged to yield somewhat to political expediency. Little used, however, to concede, the asperity of his manner indicates the reluctance of his feelings. There is no grace in his compromise with circumstances, his concession is mingled with exasperation, and the means of conciliation are offered in the tone of defiance.

In reply to this note, lord Lauderdale observed, that, by avoiding the notice of whatever it contained foreign to the main question, he should be precluded from discussions, in which he might forget that tone of moderation which it was his duty to observe during the whole course of his mission, and, that in consequence of the admission of the French government with respect to the conclusion of peace, at the same moment between Great Britain, Russia, and France, he should make no difficulty of renewing the conferences. General Clarke being superseded now by M. Champagny, in an interview between the latter and lord Lauderdale his lordship was informed, that the emperor, having determined on great sacrifices for the sake of peace at this time, with a view to obtain it proposed the restoration of Hanover with its dependencies; the confirmation of Malta; his interference to procure from the Dutch their consent to the absolute cession of the Cape; the confirmation of Pondicherry, Chandernagore, Mahee, and the other Indian acquisitions; and, as it was originally settled by the English, the island of Tobago. That, in consideration however of this, Sicily was to be ceded by Great Britain, for which his Sicilian majesty should possess, as an equivalent, the Balearic islands, and an annuity from the court of Spain; and that, in addition to what was granted to Russia by the treaty of D'Oubril, France would cede to that power the full sovereignty of the island of Corfu, beyond which he had no authority whatever to go. Lord Lauderdale replied, that this being the case, his mission was completely at an end.

Thus terminated a negotiation which had occupied the attention of the two governments for upwards of six months, and exercised the abilities of statesmen of great experience and transcendent talents, all whose efforts were, however, insufficient to stop the ravages of ambition, and terminate the effusion of blood. The length of time to which these discussions extended, has been regarded as an imputation on the vigour and resolution of the British government: yet, in the actual circumstances of England, with no ally in contact with the enemy, whose ardour would be impaired by continued negotiation, the object does not appear of considerable importance. Besides which, the sincerity of pacific desires is ill demonstrated by what carries the appearance of abruptness and precipitancy: to which may be added, the important consideration of the time essentially requisite for the full concert of remote cabinets, in a concern so complicated as to demand very frequent references, and in which the contingency of a moment may set aside dispositions which were thought to preclude almost the possibility of derangement. As before observed, there does certainly appear some deficiency with respect to the establishment of a basis of negotiation, and in relation to this point, had that provident caution been manifested, which, probably, was prevented only by those qualities which did honour to the heart of the British minister, it can scarcely be supposed, that those gross suspicions, or rather flagrant imputations, would have occurred on the subject with which it is now marked. So far as steadiness in these discussions is meritorious, and versatility a fault, the palm seems to belong to the British government, which modified its conduct indeed, in consequence of

of circumstances, but of circumstances which demanded these modifications from their importance, and not arising out of the caprice of the moment, or slight successes, or even important conquests; while that of the enemy was regulated by a barometer of more exquisite sensibility, and exhibited changes corresponding with very slight causes, and calculated to excite painful surprise, and disappoint reasonable hope. In frankness and undisguised communication the British plenipotentiaries appear to possess the advantage: less reserve, less speciousness, and (if the expression may be permitted) less of that finesse which too rarely can be separated from duplicity, seem to have marked their communications: but it may more decidedly be observed, that in the line of moderation which ought ever to characterize these intercourses, the English plenipotentiaries display marked preeminence. From the decorum becoming the unspeakable importance of the object of their mission, and the dignity of the personage whom they represented, yet in all cases distinguishable from austere formality, they appear, in no one instance, to have swerved. When summoned to vindication by imputations under which silence would have been supposed to imply guilt; or when commenting on those proceedings of the French government, which constituted a breach of the usages of civilized nations, and which, from those who possessed more irritability than wisdom, would have provoked the most impassioned terms of indignation, they never lost sight of that dignified character wherein they stood, in which they considered the strength of their government as their protection, and united all the firmness of representation with all the inaccessibility of passion. The terms of the peace proposed by France, immediately preceding the rupture, would not have been thought injurious to Great Britain. Considering the character of the chief of the French nation, and his repeated pledges with regard to conditions of a very different description, they might not unnaturally excite surprise in persons who have not reflected, that even arrogance must bend to expedience, and that many governments have indiscreetly bound themselves not to make peace, but upon terms which they were never able to obtain. With respect to Russia, however, so important was it to her that her demands should be yielded to, at least with respect to Albania, that her peremptory requisition upon these points cannot excite any astonishment; and in consideration of the extensive acquisitions and influence of France in the course of her hostilities with that power, without, at the same time, making any impression upon her empire, these demands ought to have been acceded to. In such circumstances to have deserted the Russian government would have been, to adopt the language of Bonaparte, more disastrous than the longest war, and inconsistent with that honour which has ever been the boast of the British nation, and without which, security and happiness are no more than empty names.

It cannot be thought, however, that notwithstanding the failure of the negotiation, with respect to its grand object, it was altogether useless: it disclosed the views and the tempers of the several governments, their wants, and their wishes; and the eventual accomplishment of peace must be supposed to be somewhat facilitated by

the attempt which, in this instance, unhappily proved abortive.

Before the earl of Lauderdale quitted Paris, the discussions between France and Prussia had advanced to a point which left no prospect, and only the slightest chance, of friendly arrangement. The tone of the Prussian court was that of firmness: the troops were animated with high enthusiasm, in the expectation of hostilities which they conceived the honour of the nation had long since required. The zeal of the people coincided with the sentiments of the army. Various towns and provinces proposed to raise and maintain regiments at their own expense; and the students of the university of Halle requested permission to constitute themselves into a regiment of Hussars. The disposition manifested by the court was equally approved by foreign powers as by Prussian subjects. The king of Sweden was eager to cherish the prospect which seemed thus to be afforded of checking the power and aggrandisement of France, and dispatched a letter, written by his own hand, to the king of Prussia, the object and effect of which was, to produce the oblivion of past altercations, and the restoration of that confidence and amity which had been suspended, although not by very active and bloody hostility. The Prussian vessels, also, in the ports of Great Britain, were speedily liberated; and to cherish the spirit of hostility against France, and give it a direction of the greatest possible effect against that government, by producing a system of combined operations, lord Morpeth was dispatched to the court of Berlin with proposals of a very comprehensive description. The object of his mission was indeed no less than the co-operation of a considerable English force with the Prussian army, which, with the vast forces of the Russian emperor, might be brought to bear with far greater probability of success than could attend any single-handed contest on the part of Prussia.

The preparations of Prussia were met with, at least, equal alertness on the part of the emperor of France, who was never yet behind his enemies in vigilance and activity, although policy has occasionally induced him to pretend a surprise. On the 24th of September, he quitted his capital to join the armies, infusing activity as he passed into the various parts of the service, and settling arrangements adapted to all the details of that complicated and formidable machine, whose operations he was about to direct with that promptitude and decision which had so uniformly promoted his success. In the mean time discussions were still continued, and even so late as the fifth of October, when both monarchs were at the head quarters of their respective troops, a dispatch was delivered from the Prussian outposts to those of the French army, which still afforded an opening for amicable adjustment. Within a very few days after, however, a declaration, stating the grounds of the war, was published by the Prussian cabinet: a document well worthy of perusal, but which our limits preclude us from giving, even in an abridged form.

From this interesting paper it will be immediately perceived, that Prussia felt herself now completely committed: her tone was decisive: her epithets were unqualified: and her indignation fluent and unrestrained. It displayed no reserve of fear, and afforded no shelter for

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versatility. One circumstance must strike even the most cursory observer, however, of this production, which the Prussian government, nevertheless, does not seem to have been aware of. The solicitude for full vindication in an appeal to arms, has indeed sufficiently accomplished that object, but has led to that fullness and strength of statement, which involved the government in the most serious imputations. It does not appear to have considered, that the same grounds which acquit of presumption and precipitation, may sometimes convict of cowardice: but sordid meanness is not to bear the palm of moderation; pusillanimity must not be confounded with dignified forbearance. If a government whose neutrality is purchased by the spoil of neutrals; whose abstinence from just and glorious hostility, is the result of bribes stolen from the innocent; whose concessions are made, not to error but to usurpation; which has constantly met encroachment with apology, and menace with submission; and which a perpetual series of aggressions has found inaccessible to self-respect; if such a government is permitted to boast of its dignity, its elevated morality, its moderated views and spirit of benevolence; there is an end at once to all those distinctions which have been hitherto thought to exist between the glory and the disgrace of nations. It surely ill-becomes a mighty kingdom to admit, and even to boast, "that it had been led on from humiliation to humiliation, till it approached the ultimate point of political degradation." No difficulty whatever can possibly be experienced in admitting the truth of the assertion; but miserable and abject must be the state of that government, whose defence consists in the acknowledgment of crimes, and whose vindication is stamped with greater infamy than could attend even the strongest evidence of the charge.

Both parties presumed themselves now ready for the conflict, and so confident was Prussia in her own strength, that on the 29th of September, just before the commencement of hostilities, she appears to have refrained from any attempts at re-inforcement from other powers.

The French army had advanced in three divisions: the right, consisting of the corps of marshals Ney and Soult, with a division of Bavarian troops, proceeded by the route of Amberg and Nuremberg to unite at Beyreuth, in their advance upon Hoff: the centre was composed of the reserve under the grand duke of Berg, with the corps of the prince de Ponte Corvo (Bernadotte), and marshal Davoust; and the imperial guards marched by Bamberg towards Cronach, and by way of Saalberg and Schleitz to Gera: the left, consisting of the troops of marshals Lannes and Augereau took their route for Schweinfurth towards Coburg and Saalfeld. The Prussian army, having its right under general Blucher, its centre under the duke of Brunswick, and its left commanded by prince Hohenloe, had taken a very strong position along the north of Frankfort on the Main. The campaign opened with the battle of Schleitz. Three Prussian regiments sustained, with great firmness, one of the most spirited charges of the enemy's cavalry: but the efforts of the French were finally successful, with a loss on the side of the Prussians of nearly 700 men, killed, wounded, and taken; and five hundred waggons,

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containing articles of great utility for the prosecution of the campaign, fell into the hands of the victors in the contest.

On the tenth, the left wing of the French was equally successful under marshal Lannes against Grafenthall. After the continuance of a cannonade for about two hours, the Prussian cavalry was cut off by the French hussars, and their infantry, being unable to effect an orderly retreat, were obliged in part to take shelter in the adjoining woods, while others were involved inextricably in a marshy ground, where they were obliged to surrender themselves prisoners of war. In this engagement prince Louis of Prussia, brother of the king, was killed by a marshal of the tenth regiment of French hussars, with whom he was engaged in individual combat. His merits were such as occasioned very general regret, and aggravated the other losses of this unfortunate battle, from which the French derived a thousand prisoners, and thirty pieces of cannon, while six hundred of the enemy were left dead upon the field. These inauspicious results of the new operations excited no slight sensations of doubt and apprehension at the head-quarters of the Prussian army, the main body of which found itself placed, on the twelfth, in a situation of considerable danger. The object of Bonaparte had been to repeat the operation of the preceding campaign, which had been adopted with a boldness equal to the promptitude and success with which it was executed, and to interpose himself between the forces of his enemy and their depôts and resources. The Prussian army occupied Eisenach, Gotha, Erfurt, and Weimar, and it was the intention of the Prussian commander to have commenced hostilities by bearing down with his right wing upon Frankfort, with his centre on Wurtzburg, and his left wing on Bamburg. The arrangements for this plan had been minutely prepared, and several columns had been pushed on to Cassel and other places, to act upon the offensive, and open the way to the invasion of Germany: but the French army had by this time unexpectedly turned the extremity of the Prussian left wing, and got possession of the eastern bank of the Saal, occupying within a very short period, Saalberg, Schleitz, and Gera. In consequence of this alarming circumstance, the arrangements of the Prussian army were somewhat changed: the detachments which had been precipitately urged forward were called in; the head-quarters were removed from Blackenburg, through Weimar, to Auerstadt, while general Ruchel occupied the position of Weimar. Such were the arrangements made by the Prussians previously to the 13th, for the ensuing decisive struggle; and the army was drawn up near Capelsdorff, in order of battle. On the day preceding the eventful contest, the grand duke of Berg, and marshal Davoust, were, with their corps, at Naumberg, to which place the prince of Ponte Corvo was in full march: marshal Lannes proceeded to Jena, where the emperor was also advancing, while his head-quarters were at Gera: marshal Ney was at Rotha, and marshal Soult was proceeding on the straight road from Naumberg to Jena, for the convenience of a more advantageous position. In the afternoon of the 13th, Bonaparte arrived at Jena, and on an elevated flat near that place, reconnoitred the position of the enemy. The importance of this elevation for the

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play of artillery was so great, that, notwithstanding the extreme difficulty, and, indeed, seeming impossibility of accomplishing it, it was instantly determined that the cannon should be brought there, and vast numbers of the troops were employed for a great part of the night in making a passage over the intervening ruts, in filling up hollows, and levelling projections, until at length, and after immense labour, the artillery was actually fixed upon it. Marshal Davoust was ordered to defend the passes near Naumberg and those also of Koosen, which it would be a grand object of the Prussians to gain in order to reach Apolda and attack him from behind; and if the Prussians bent strongly towards Naumberg or Jena, the prince of Ponte Corvo was instructed to fall upon their rear. General Victor, having the command of the whole corps of marshal Lannes, was placed upon the level height, over against the Prussians, who were thought, however, not to be fully aware of the extent of the force so situated, and which every attempt was undoubtedly employed to conceal. Between the wings into which the corps of Lannes was divided, were placed on the most commanding point the imperial guards, formed into a square battalion.

The night of the 13th was solemnly and sublimely interesting. Every sound on either side could be distinctly heard by the other. The sentinels were almost close to each other, and the lights of the two armies were within half a cannon shot distance, in one case illuminating the atmosphere through an extent of front of six hours march, in the other concentered within a comparatively small compass. On both sides all was watchfulness and motion. The divisions of Ney and Soult were occupied the whole night in marching, and at break of day all the French troops were under arms. Those which could not be admitted for want of space on the height, extended themselves beneath, through passes of extreme narrowness and difficulty, which had been discovered from the town and neighbouring villages. The morning was obscured by a fog which lasted for two hours, during which Bonaparte rode along the line, cautioning his officers to exhibit order and compactness against the Prussian cavalry, and reminding them of the similarity of the situation of the Prussian army to that of Austria in the preceding year, when its system of operations was completely baffled, and it was driven from its magazines and surrounded by its enemy: so that the great object of the Prussians now was not victory but retreat, which the French army could not permit them to effect, without for ever tarnishing their glory.

The light troops began the action by a very smart fire, which dislodged the Prussians from an apparently inaccessible position on the high way between Jena and Weimar, where they seemed to think themselves secure from annoyance. In consequence of this dislodgment the French were enabled to stretch out without restraint on the plain, where they now arranged in order of battle. An army of fifty thousand men had been detached by the Prussians from their left wing, to cover the defiles of Naumburg, and possess themselves of the passes of Koosen, in which they were anticipated by marshal Davoust. The two other armies, one

one amounting to eighty thousand, placed themselves before the French army, which now opened out from the level height of Jena. The mist which had hung over the combatants now dissipated, and both armies beheld each other within a distance of cannon shot. After the first action of the morning, by which the Prussians had been obliged to quit their position, the village of Hollstet became the point of attack, and the Prussians were in full motion to drive the French from it, when marshal Lannes was ordered for its support. Marshal Soult attacked a wood on the right. The right wing of the Prussians made a movement against the left of the French, which marshal Augereau was ordered to oppose; and in less than an hour the action became general. Every manœuvre on both sides was performed with precision, while 250 thousand men, and 700 pieces of cannon were scattering death on every side, and displayed one of the most affecting spetacles ever performed on the theatre of the world. After a struggle of nearly two hours, marshal Soult secured possession of the wood, from which he immediately moved forward, while at the same instant the division of the French cavalry in reserve, and the two divisions just arrived on the field of battle from the corps of general Ney, were ordered into action, and so strengthened the French line that the Prussians were thrown into great disorder. This disorder, however, they retrieved for about the space of an hour: and at this critical season of the battle "there was room (as admitted by the French) for a moment's doubt;" appearances were favourable to the Prussians, when the dragoons and cuirassiers under the duke of Berg were able to take part in the engagement, and bore down the Prussians in extreme confusion. The shock was irresistible both by their cavalry and infantry. They formed into a square, but in vain opposed themselves against the impetuosity of this most dreadful charge, by which they were completely overwhelmed. The loss of the Prussians in this battle was little less than forty thousand men, killed, wounded, and taken, including about twenty generals, among whom were generals Ruchel and the duke of Brunswick, both wounded. The French acknowledged the loss of four or five thousand men. The victory however was completely and incontestibly their own. They pursued their success with extreme vigour to the very gates of Weimar; and so great was the confusion of the unfortunate Prussian army, but a few hours before firm in strength, and elevated with hope, that, while its left wing, followed by marshal Davoust, who maintained his ground against the great body of the Prussians sent to possess the defiles of Koosen, and pursued them, for the space of three hours, was attempting its retreat to Weimar, its right and centre were quiting that very point in a retreat to Naumburg.

The duke of Berg, who in his operations has so frequently proved himself worthy of his great preceptor in the art of war, on the 15th of October invested Erforth, to which general Mollendorf had retreated, a fine citadel, containing a number of magazines, and all the means necessary for defence, which surrendered however on the following day with fourteen thousand men, eight thousand of whom were wounded. The block-

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ade of Magdeburg, which, as being supposed perfectly out of danger, had been made a depôt for the most valuable effects from Munster, Cassel, and East Friesland, amounting to a very great accumulation, was entered upon, under the orders of the duke, on the 20th, while he proceeded on towards Spandau, three miles only from Berlin, which by its position was of very considerable strength, it being surrounded by water. The garrison of this place, at the moment when the French cannon were about to open upon it, on the 24th, surrendered themselves prisoners of war: and on the 7th of November, although not supplied with ammunition and provisions for a very prolonged siege, yet far from being under the necessity of a very speedy surrender, after an inconsiderable bombardment, Magdeburg itself was yielded up; presenting a singular instance of the effect of that alarm which had been excited by the successes of the enemy, the influence of which pervaded the most numerous garrisons and the strongest fortifications. Another effect of this complete dismay was the capture by this active and successful commander of Stettin, a fortress well calculated for defence, and which contained a garrison of six thousand men with one hundred and sixty pieces of cannon; an achievement accomplished by one of the wings of his corps, while the other attacked a column of six thousand Prussians who immediately laid down their arms.

Stettin was the fortress to which, after the fatal day of Jena, the prince of Hohenloe directed his course with the principal wreck of the battle, having under him about sixteen thousand infantry, principally guards and grenadiers, six regiments of cavalry, and sixty-four pieces of harnessed artillery. In his attempt, however, to reach this place he was anticipated by the arrival at Templon of the duke of Berg, who, not doubting that the prince would, in consequence of this failure, bend his course to Prentzlow, without a moment's loss of time set off for that place, and by a well-concerted attack overthrew, in its suburbs, the cavalry, infantry, and artillery of the prince, and forced him, with great loss, to withdraw within the town, where he was immediately summoned. The gates being speedily burst open by the enemy, and no chance of effectual opposition to attack remaining, the prince engaged in a treaty of capitulation, and the same day defiled his whole army before the grand duke, his prisoners of war.

The retreat and resistance of the gallant general Blucher are deserving of particular mention. His intention, after the defeat of Jena, was to effect a junction with the army of prince Hohenloe, and to gain the Oder, and by affording employment to several divisions of the French troops, to allow time for the supply of some important fortresses, and for the junction of the Russian and Prussian troops. The reserve of the army, which under the prince of Wertemburg had suffered very materially at Halle, and had lost great part of its artillery and been exhausted by forced marches, was confided to him on the 24th of October, and appears afterwards to have met with the corps under the duke of Weimar and the hereditary duke of Brunswick. It consisted of ten thousand five hundred men. After various attempts to join prince Hohenloe, in which his little army

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had been obliged several times to separate, although they rejoined after a variety of difficulties, and to fight against very superior numbers, but often inflicting in these contests more injury than they experienced, he received the mortifying intelligence that the prince had capitulated. After a succession of harassing attacks and rapid marches, and several invitations to capitulate, he found himself compelled to take the direction to Hamburgh or Lubeck, or to fight the next day, as the duke of Berg was on his left flank, marshal Soult on his right, and Bernadotte on his front, each of whose divisions was more than double the number of his own. His march to Lubeck was resolved upon, and was accomplished. But here, to his unutterable regret and indignation, treachery combined against him with the troops of the French, who soon filled the town. Here a contest took place, which in fierceness and horror has rarely been exceeded. The squares, and streets, and even churches, were scenes of the most bloody conflict and carnage; war triumphed in this unfortunate place in its full ravage; and the Prussian troops were at length obliged to yield to the superior forces of the enemy, and withdraw from the town. In the extreme want of ammunition, with reduced strength, and reduced numbers, effectual resistance seemed in these circumstances absolutely impossible. After three weeks constant retreat, in which, from the incessant fatigue of marching five or six German miles a-day, with only the most miserable means of subsistence, fifty or sixty men were frequently obliged to be left behind, but in which, notwithstanding, the whole corps had displayed a fidelity and courage which could never be exceeded, he felt it his duty, at the moment the French were about to attack him, to yield to a capitulation. The conviction of having discharged his duty might well support him under disaster, and he may be considered as having derived more glory from his well-conducted retreat, than has attached in many cases to the most decided and important successes.

Marshal Davoust had on the 18th of October taken possession of Leipsic, where immediately notice was given to the merchants and bankers, that all English property would be seized in that grand entrepôt of British merchandise; and all persons were injoined within twenty-four hours to send in a declaration of all such property in their possession, of whatever description; the non-compliance with which would be punished by the summary process of military tribunals. Having ordered a bridge to be thrown over the Elbe at this place, he proceeded to Wittenburg and gained by surprise the bridges of that town, after which he moved onward to Berlin, which he entered on the 25th, followed on the succeeding day by the corps of marshal Augereau.

To follow the successes of the grand French army more minutely through its several divisions, or the corresponding disasters of the Prussians, would exceed the due limits of this narrative. Bonaparte arrived at Potsdam on the 24th of October. He visited the palace and the tomb of the great Frederick. The sword of that distinguished warrior, the ribbon of the order of the black eagle, the colours taken by him in the seven years war, and the scarf which he used during that critical period of his

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vicissitude and glory, excited particular attention and emotion, and were ordered to be presented from the emperor to the Hôtel of Invalids at Paris. Within three days after his arrival at Potsdam he made his public entry into Berlin, attended by his principal generals and his foot guards. Various ambassadors from the powers with which he was at peace were here presented to him at the palace; deputies from the Lutheran and reformed churches, to whom he promised the continued enjoyment of their rights of worship; and from the courts of justice, who received directions with respect to the judicial administration. Twelve hundred of the principal inhabitants were entrusted with the guardianship of the city; and to the management of eight, of the highest reputation and consequence, was committed the superintendence of the police. The presence of the French scarcely discomposed the ordinary routine of business; and by the vigilance of the burghers and the strict discipline of the army, the utmost tranquillity was ensured. Berlin, at the time of its occupation, notwithstanding previous removals, abounded with military stores of arms and ammunition, which the precipitate approach of the enemy, the rapidity of whose march, agreeably to their own expression, almost outstripped that of their renown, had prevented the possibility of withdrawing. The supreme provisional government of the conquered country of Prussia was committed to general Clark, and divided into four departments, Berlin, Custrin, Stettin, and Magdeburg: and, every arrangement being made that circumstances could require, Bonaparte proceeded from the capital of Prussia towards that of Poland, to which several divisions of his army were advancing before him.

During the time in which the emperor of the French was enjoying himself in comparative leisure and full tranquillity in the palace of Berlin, admiring the novelty of the scene and the relics of military greatness, reviewing his troops on the very spot on which the armies of Frederick had so often exhibited those precise and brilliant evolutions which rendered them the admiration of the age, but who did not exceed the present performers on that scene, the king of Prussia was experiencing all the regretful feelings of an exile, and the alarms natural on the loss of a kingdom, for the recovery of which he had reason to fear that he must be obliged more to the moderation of the conqueror, than to any remaining resources of his own. In the course of a few days his army had been completely scattered and ruined. The army of Westphalia, under general Blucher; the left division, under prince Hohenloe; the reserve, under the prince of Wertemburg; the army under his own immediate inspection, commanded by the duke of Weimar, had comprehended a mass of military power which he had represented to his imagination as almost irresistible: yet nearly all had now disappeared. Of 146 thousand men which these divisions comprised, a considerable number had been destroyed, wounded, or taken in the fatal contest at Jena. Of the rest, various corps, after wandering amidst inextricable difficulties, and exhibiting an enterprise and perseverance worthy of a better fate, had been obliged to surrender to the superior forces of the enemy, while some others, as if

struck with consternation or despair, and imagining themselves to be assailed by an enemy of more than mortal prowess, yielded up, one after another, positions of extreme consequence and susceptible of considerable defence. By these positions, at least, it might have been hoped that the progress of the victorious French might have been checked till time had been furnished for a recovery from the first impressions of dismay, and some judicious attempts might have been made to retrieve as much as possible the disasters of the grand defeat. Yet his fortresses made little or no resistance. They appeared as if incapable of affording annoyance to the enemy or security to their garrisons. The armies, the garrisons and the magazines of the unfortunate monarch, were lost to him with such rapidity of successive disaster, that he might doubt, at certain moments, the reality of facts and the testimony of his senses. After his retreat to Custrin, the approaches of the enemy speedily produced the necessity of his further removal, and Koningsburg became the place of his residence and the rallying point of the wreck of his forces. Here the last regiments of the monarchy collected around him, from New and Old East Prussia. According to some accounts they amounted to thirty-three battalions and forty-five squadrons, constituting, in the whole, a force of nearly fifty thousand men; although it may reasonably be doubted whether even this number could be brought together. But to whatever amount the force here stationed actually extended, it formed the only remains of the royal army, and awaited the accession of Prussian reinforcements, or the arrival of whatever assistance might at length be communicated by the emperor of Russia.

The elector of Saxony was excused by Bonaparte for joining the Prussian armies, as having been compelled into the service; and six thousand of his troops were dismissed on their parole immediately after the battle of Jena. The elector of Hesse, as having acted treacherously, was condemned to be deprived of his dominions; as was also the duke of Brunswick for encouraging a war, "which he ought to have used his influence to prevent;" a sentence which this unfortunate prince survived only a few days, dying of his wounds, aggravated by anxiety, at Altona, whither he had been carried after the battle, by his servants, in a litter, to be completely beyond the reach of the enemy. Mecklenburg was also taken possession of, and its government subverted; but its destiny was postponed, and to be regulated by the conduct of Russia.

Hanover was occupied by a detachment from the French general Mortier, together with a few troops of the king of Holland. The siege of Hameln was intrusted to general Savary, who found a conference on this occasion equally efficacious with a grand assault. The desperate situation of the Prussian monarchy afforded no prospect of advantage from the protraction of a siege on the part of the commandant, who therefore speedily signed a capitulation, by which this place, with a garrison of nine thousand men, abundance of all kinds of military stores, and provisions for six months, was delivered to the French general, whose troops amounted to no more than three regiments.

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In Hanover the order and discipline of the French troops were strikingly observable. A few days were sufficient to make a victorious progress throughout the country. Fulda and Cassel were likewise occupied by the same corps; the native troops were disarmed without the slightest opposition, and a perfect communication was opened with the grand army. The next object to be accomplished, and which was scarcely sooner ordered than effected, was the taking complete possession of Hamburgh by Mortier in the name of Bonaparte. The transactions at this place were the consequence of a system explained by a decree of the French senate, published towards the close of November. This decree stated, that England had violated the laws of nations in considering every individual belonging to a hostile state as an actual enemy, whether found on board vessels of merchandize, or engaged otherwise in the tranquil occupation of commercial agents, or as members of commercial factories. She had moreover extended her right of blockade beyond all reasonable limits, to places before which she had not a single ship of war, and even to whole coasts and kingdoms, where, with all her naval superiority, it was impossible for her actually to maintain it. Her views had been directed by these means to ruin continental industry and commerce, for her peculiar aggrandizement. All those who dealt in English commodities, therefore, might justly be regarded as really, whether intentionally or not, seconding those views, and as in fact her accomplices. As it was requisite, and recognised by all the laws of nature and nations, to fight against an enemy as he attacked, in consequence of this system of England, it was now decreed, that till it should be changed the British islands should be placed in a state of blockade; all commerce and correspondence with them should be prohibited; all letters addressed to them should be detained; individuals belonging to them in the countries conquered by France should be regarded and treated as prisoners of war; every commodity, that could be seized, which was produced by England, as well as belonging to her, should be held good and lawful prize; and no ship coming directly from her ports should be allowed to enter any of their harbours. Half the proceeds arising from the consequent seizure and condemnation of property, should be applied towards the indemnification of French merchants for the losses sustained by them from the captures of the enemy.

In conformity to this decree the French minister at Hamburgh notified to the senate, that all English commodities in that city and its territories were immediately to be placed in a state of sequestration. Within 24 hours from the time of the notice, all bankers or merchants having English manufactures or funds arising from the sale of them in their possession, whether belonging to Englishmen or others, were to present to the commandant a correct statement of the amount, which was to be entered in a register opened for that purpose; and, to ascertain the truth or falsehood of these registers, domiciliary visits were to be instituted, and the consequences of detection in any fraud would be the immediate infliction of punishment agreeably to the process of martial law. Every Englishman, moreover, was to be made a prisoner of war. The ri-

dicule attached to the first idea of Bonaparte's blockading the British islands, which, in the strict meaning of the terms, it was impossible for him to accomplish and preposterous even to attempt, and the project of which seemed to imply a disturbed and phrenised imagination, was speedily removed by these illustrative facts. In all those countries which were under the direct power or influence of France, British property and persons were divested of all security, and recognised as fair subjects respectively of sequestration and imprisonment. The means of continental communication were extremely impaired. The grand entrepôt of English commodities was completely cut off. The strictest orders were circulated through Holland, Switzerland, and all the other tributary governments of the French empire, to enforce these regulations so as to effect, if possible, the utter exclusion of British intercourse with their dominions; and it was found, that, although the French were enclosed by the British squadrons in their own ports, which they could quit only by the aid of storms and darkness, the idea of blockading the British islands was not altogether frivolous and insignificant. They were detached from the main territory of Europe, favourably for their defence and independence, but it was perceived they might be insulated also, in a great degree, from its commerce. And beneficial as this commercial intercourse was mutually found to be, established, indeed, on the very basis of reciprocal wants and advantages, they were contending now with an enemy, whose grand object was to impair their resources, to harass their credit, to produce that failure of revenue, which would operate most advantageously in support of his views of policy and vengeance, and in completing which, the inconvenience attaching to Europe, and even to France herself, from this system, would be most willingly incurred.

The apprehensions, therefore, arising from this measure were very considerable. The English merchants, indeed, at Hamburgh, who had been at first placed under guards of soldiers, and were daily expecting to be sent off to the grand depôt of English prisoners in France, were at length liberated from their confinement. With respect also to the property of the English at Hamburgh; the event under consideration had been thought not extremely improbable, and the utmost expedition had been employed by the English agents to dispose of their commodities and settle their accounts, and to consign back to their own country what was incapable of being disposed of. In consequence of this caution and activity, the property of the English which actually fell into the hands of the enemy, by the occupation of this place, was but small. The system of precaution extended also to Kiel on the Baltic, and likewise to Gluckstadt, and Cuxhaven, where all measures were employed by the agents of government or commerce to guard against contingent injury: yet with all this vigilance and mitigation, the event was attended with great embarrassment and injury. The suspension of the regular course of payments from abroad soon proved fatal to many mercantile houses of the first distinction, which, agreeably to the almost irresistible spirit of commercial enterprise, had traded to the

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very extremity of their means and credit, and which even a less heavy interception must have involved in ruin. Others of less consequence were included in their fall. Those who had disposed of their property and settled their accounts abroad, but whose warehouses at home were crowded to the very roof with merchandize, for which they could now obtain no market, were in a state little less to be deplored. The West India merchants, so large a part of whose importations had found their way through long established channels to the continent, from which they were now excluded, particularly suffered from this cause; and the bankrupt list was, for a considerable time, swelled with the names of those who had recently imagined themselves in a state of secure opulence, but fell under the weight of this unmarketable and depreciated property.

With respect to the political morality of the measures of the French government, from which these events proceeded, it may be observed, that any deviation from correct and liberal warfare on one side naturally produces still greater departures on the other. Thus is the irritation of hostility cherished, and that spirit of conciliation which is connected with ingenuous contest, almost completely precluded. It is undoubtedly essential to war, that the innocent should be involved, to a certain extent, in its inconveniences and misery. The flame will always scorch many who never kindled it. This evil resulting from the inevitable order of nature must of course be yielded to. Yet beyond this necessity it would surely be desirable not to proceed. To urge, that the more interests are involved in the conflict, the more rapidly it will be brought to its termination; that government is weakened by the losses of individuals; and that it is possible to strike at the guilty only from the dead bodies of the innocent, would be to vindicate a return to all those atrocities which characterized the practice of antiquity. There is no slight transgression of the boundaries of mutually authorized warfare, which may not be followed in long succession by greater excess and still more violent retaliation; till ingenuity is summoned with its fullest powers for the infliction of misery, and the effect of this perpetually increasing violence and rage is seen in relentless hatred and remorseless cruelty; antipathy being at length bound up with the heart and essence of the combatants, and peace pursued only through the medium of extermination. But if war be ever to cease, it must be by the gradual mitigation of its rigours, by the substitution of generosity for malice, by that union of humanity with valour, which would prevent the infliction of unnecessary evil, and suggest the inquiry to two brave but hostile nations, which had thus controlled its horrors, whether it would not be better to extinguish them for ever; whether those who had thus qualified the operation of the most boisterous and malignant passions, might not sooth them to complete repose. It is time that the progress of national contest should be regulated by other principles than those of miscalculated expediency, and that states should be ready to prove that their moderation sometimes arises from other principles than their weakness and their fears.

The advanced guard of the Russian army under general Ben-

ningsen, amounting to four thousand men, had at length crossed the Vistula, and arrived at Praga on the 13th of November, whence they pushed on to the river Drzura. Their reconnoitring parties, however, on advancing along the road towards Posen and Thorn, soon ascertained the great superiority and rapid march of the enemy. In these circumstances general Benningsen speedily retired from Praga, having experienced some loss in detached parties and outposts, and re-crossed the Vistula; after which he entirely destroyed the bridge.

About the close of November, the divisions of that French army which had arrived at Warsaw and its vicinity constituted a considerable force. To substitute a bridge for that which the Russians had destroyed was one of the first objects; which required considerable time, and was at length completed of boats. Every effort was made, in conformity to the orders of the French emperor, to place the works of Praga in a perfect state of defence, the superintendence of which was committed to the general of engineers, who erected eight redoubts with pallisades, and bastions, enclosing a space of 1500 toises, and constituting in the whole an intrenched camp of peculiar strength. From the eastern bank of the Vistula, a corps of marshal Davoust's division pushed on toward the Bug, where they covered themselves by a *tête du pont*, and completed a bridge over the river, and afterwards proceeded on to the village of Pomikow, which a body of Russian troops attacked, but which the French eventually occupied and maintained.

After the retreat of Benningsen over the Vistula he still continued to recede; not only as his forces, even when joined with those of Buxhovden, would be considerably inferior to the forces of the enemy, but also on the general idea of the desirableness of drawing on the French as far as possible into Poland. The general in chief of the Russians, however, Kamenskoi, having at length arrived at the Russian camp, by no means approved of these delays and cautions, and seemed to consider the honour of the army as tarnished by its receding before the enemy, who would not fail, it was observed, to ascribe this to fear, and would derive considerable advantage from the high-spirited confidence which such an idea would excite in them. The king of Prussia, too, was somewhat indisposed to procrastination, and imagined, that the longer his capital remained in the power of the enemy, the less anxious it might be to receive again its former master. Soon after the arrival therefore of Kamenskoi, from St. Petersburg, which was celebrated by the troops with the strongest demonstrations of joy, and inspired unbounded hopes of success, the retrograde movements of the army were checked, and they began to advance, having their head quarters at Pultusk. They were ordered to prevent the French from passing the Narew, to retake Praga, and to fix their station on the banks of the Vistula. Amidst the joy at general Kamenskoi's arrival, however, the Narew was actually passed by a French detachment of 800 men at its junction with the Ukra; and Bonaparte, who had quitted Posen on the first indication of this disposition in the Russians for offensive operations, arranged the various divisions of his army accordingly. Marshal Ney had been for

for some time in possession of Thorn. He united the different corps at Gallup. Marshal Bessieres, with the second corps of reserve cavalry, proceeded from Thorn to Biezun. Bernadotte proceeded with his division to support them. Marshal Soult passed the Vistula opposite Plock, and marshal Augereau at Lackrocyn, where a bridge was erected by the greatest exertions, which also were employed to establish one over the Narew. The latter being completed, the reserve of cavalry passed by the Vistula at Praga, followed by the emperor, on their march to the Narew, where the whole force of marshal Davoust was collected. An engagement almost immediately took place. The event of the day was in favour of the French, in consequence of the injudicious arrangements of the Russian general, whose retreat was accomplished after the loss of 1600 prisoners, and 25 pieces of cannon.

Over a corps of Prussians, consisting of six thousand infantry and one thousand cavalry, considerable success was obtained by a corps of marshal Ney at Soldaw; while marshal Bessieres took several pieces of cannon and five hundred prisoners from another detachment of the same troops, breaking their line, and driving them into the morasses, near the village of Carmeden. These successes, however, were only preliminary to an affair of more importance, which closed the military operations of the year, and which occurred on the 26th of December in the vicinity of Pultusk. In the morning of that day marshal Lannes arrived opposite to Pultusk, where the whole corps of general Benningsen had assembled during the night. About ten the attack was commenced by the marshal, and was received by the Russians with great firmness. The contest lasted with considerable vicissitude for some time, and with great obstinacy, but at length terminated in the rout of the Russians. General Buxhovden, in the mean time, about noon, had assembled the different corps of his army at Golymin. Several divisions which had been beaten the evening before, had now reached the camp, particularly one from Nasielsk, pursued by marshal Davoust so closely that he charged them near Golymin, and afterwards took up his position in an adjoining wood. Augereau, arriving at the same time, took the enemy in flank, while another French general deprived the Russians of a point of support which they derived from a village, and at three o'clock the division of general Hendelet formed in line and advanced against the Russian army. The fire was extremely hot, and the contest lasted, notwithstanding several impetuous and successful charges of the duke of Berg's cavalry, till eleven o'clock; when a retreat was ordered by the Russian commander to Ostrolenka. Marshal Soult, had in the mean while arrived so near the scene of action, that, if the slough following the rain and thaw had not extremely impeded his further progress, scarcely any portion of the Russian army could have escaped destruction. This circumstance checked the accomplishment of a plan which would have completed the fate of the Russian army on this side the Orege. The loss in both these actions, on the part of the French, was admitted to have been scarcely less than three thousand men: that of the Russians con-

sisted of about twelve thousand killed, wounded, and taken, eighty pieces of cannon, and about twelve hundred baggage waggons; and was followed, as the Russians themselves were obliged to allow, by the immediate retreat of their army. This retreat was the signal for the French troops to enter into winter quarters: and those of marshals Ney, Bernadotte and Bessieres, were almost immediately cantoned on the left bank of the river Orege, while marshal Soult with three brigades of light horse was stationed on the right bank for their protection.

The king of Prussia, to whom it seems necessary again to recur, while all these events were taking place, was experiencing a state of suspense and embarrassment, which, although arising from his own culpable policy, could not but excite sentiments of commiseration. He had proceeded from the grand scene of defeat to Custrin, and thence to Osterode and Koningsberg. His queen and family, with a long train of attendants and nobility, sought an asylum first at Dantzic, and afterwards at Memel, where the death of one of the young princes combined with all the other circumstances of family affliction. It ought however to have been noticed, before this, that it was not without several efforts to recover possession of Berlin that his Prussian majesty felt himself obliged to sustain this exile. After the disaster of Jena, the road to the very heart of his dominions had been opened to the conquerors; and it was obvious, that without very considerable sacrifices he could not obtain a peace. After the failure of one overture, he dispatched his minister Lucchesini, together with general Zastrow, to Berlin, with greater concessions; and the conditions now proposed became the basis of a preliminary treaty, which was signed by the representatives of the king and Bonaparte. But it was soon found by the monarch that the French, notwithstanding this preliminary treaty, proceeded to new acquisitions, to inundate the garrison places on the Oder with their troops, to excite insurrections in South Prussia by inflammatory proclamations, to plunder the royal property wherever it was found, and to swear the subjects of Prussia to allegiance to the emperor of France. The formally concluded basis of peace was after this set aside; an armistice was then proposed by the French, in which their increased possessions since the treaty led to enlarged demands, which, however, the plenipotentiaries of the king thought themselves bound to yield to, from the emergency of circumstances. This however the king refused to ratify, alleging that the advance of the French on the Vistula precluded him from complying with its conditions; that, the frontiers of Russia being now threatened by the French, he was unable to stop the march of her forces. The allegation, however, of the impossibility to comply with the armistice, must obviously be interpreted into a determination of his majesty to try still further the fortune of war under the banner of his ally. Every effort was made by him to give effect to this chance; and considering the facility with which even the slightest promises of favourable change are caught at by the unhappy, it could not appear surprising that the approach of the Russian armies, and the idea of a general rising among the brave

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Silesians, should have inspired a hope, which was in truth the cause of the non-ratification of the armistice; and it was to be deplored that, during the hostilities which followed this refusal, to the conclusion of the year, circumstances appeared so little likely to gratify it.

Within little more than two months from the commencement of the campaign, the successes of the French were almost unprecedented in the records of history. It cannot appear extremely surprising, that this success should have operated on a people peculiarly impressible by every thing calculated to excite exultation and gratify national vanity, so as to raise them to the highest pitch of triumph, and that they should be enraptured at having for their great nation so illustrious a head; nor that Bonaparte should himself, at the contemplation of that superiority which he obtained in his conflicts, adopt frequently a style of decided prophecy, and dictation, approaching at least to the most mortifying arrogance. The forces of an immense empire were under his uncontrolled direction, and he was able to avail himself of them to their fullest extent. There was no opposition to his projects, no collision with his interest. The decisions of his cabinet, or rather of his closet, instead of being obliged to await the forms of slow deliberation, the fluctuations of remote caprice, tending to dissipate the most valuable energies, sprang with all their bloom and freshness into immediate action. The adjustment of all his plans, the appointment of all his agents depended solely on himself. When to this circumstance, so calculated to simplify the working of the vast machine, to produce not counteraction but effective and complete co-operation, is added his profound knowledge of the machine itself, the success of this extraordinary man will appear less mysterious than many, who have thought it necessary to call in fortune or destiny to their assistance, have actually felt it. In the coalitions which he has had to encounter, this simplicity, in the midst of complication, has in a great measure, doubtless, necessarily been deficient. Instead of being brought to bear with accumulated force against the enemy, one party has arrived on the scene of conflict just after the destruction of another with which it ought to have co-operated; and thus, instead of putting a knife to the throat of the enemy, has only supplied a fresh repast for his inordinate ambition. In the case of Prussia, indeed, concert had not been formed till ruin was almost absolutely incurred; and her folly was only the more apparent from those miserable arrangements which had depended solely on herself. But, whether in solitary or concerted opposition, it has been the fortune of Bonaparte to find nearly as much delay and hesitation, as much temerity and improvidence, as he has himself shown skill, vigilance, and dispatch; and the contest has been, not a conflict upon equal terms of intellectual energy, in which physical prowess or unforeseen casualty determined the result, but one of those illustrations which the events of the world have perpetually presented, of the superiority which a strong mind must ever obtain over a weak one.

CHAPTER XII.

State of America—Its flourishing Finances—Its Dispute with Spain—Its Complaints against England—Commissioners appointed to adjust their Claims with England—Expedition of Miranda—State of the West India Islands—Conspiracy of the Negroes in Trinidad—St. Domingo—Violence and Cruelty of Dessalines—His Arrest and Death—Devolution of the Government on Christophe—Affairs of India—Death of Marquis Cornwallis—Peace with Scindia—with Holkar—Extent and Absoluteness of the British Sovereignty in Hindostan—Dreadful Catastrophe at Vellore—Charges against Marquis Wellesley by Mr. Paull—Dilapidation of the Company's Finances—Opinion of Mr. Francis in the House of Commons on the Separation of the Trade and Sovereignty of the Company—Situation of Turkey—Hostilities between Russia and Turkey—Misfortunes and Degradation of Spain—Alarm of Portugal—Switzerland, how affected by the Peace of Presburg—Bonaparte imprisons the Merchants of Basil, and professes his extreme Regard for Swiss Independence—Denmark—Its wise Neutrality—Its Policy an Object of Applause and Imitation.

WHILE the continent of Europe was involved in all the horrors of warfare, the American states were at liberty, with comparatively slight exceptions, to pursue their peaceful labours of agriculture; and their commerce, although by no means unmolested, was extended, in consequence of European embarrassments, to a degree which the most sanguine had scarcely ventured to anticipate. Their revenues were in a state of complete order, collected with small expense, without encroachment on the liberty of the subject, and administered with that œconomy which enabled them not only to meet the ordinary exigencies of the state, but to pay off considerable portions of the public debt. At the close of the present year it was stated, on the authority of the government, that nearly 23 millions of dollars of the funded debt of the country had been extinguished within the four years and half preceding. Some other important circumstances of annual authoritative statement are deserving of attention. Considerable purchases of land had been made from the Indian tribes, which tended to consolidate parts of the settled country and secure their interests. Between the Indians and the States there existed the most perfect relations of peace and amity. From France as well as the Indians, land had also been purchased: the territory of Louisiana, which Spain had previously ceded to Bonaparte, had been added to the dominion of the States, and a treaty was also in negotiation for the purchase of Florida. Every disposition seemed to be afforded by the American government for improving its resources, and particularly for extending its means of commerce and navigation. The best communication between the Missouri and the Pacific Ocean was this year an object of its research, and the expedition for this purpose was attended with

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all reasonable success. The Mississippi was also this year explored under the sanction of government, and important surveys, and a vast mass of valuable information (notwithstanding some unsuccessful attempts), were procured by the ingenuity and perseverance of the agents of government.

The surplus of revenue under the American government, which, unless some taxes were taken off, must have perpetually increased, was proposed to be applied to the internal prosperity of the country by improving its roads, canals, and rivers, which are the grand means of civilization and identity of interest; as also to provide for those national establishments of education, by which private efforts might be aided, and which, by the promotion of science, taste, individual honour, and patriotic feeling, are of the first consequence with all wise and liberal administrations.

Such however is the state of human affairs, that even America was not without its evils and complaints. Its trade had been annoyed by depredations from the states of Barbary; and with a view to check these ravages, a squadron had been sent into the Mediterranean, which, after long continuance on this station and considerable expense, it was still necessary to maintain. Nor was it only with these degraded and odious governments that America experienced the interruptions of pacific intercourse. With Spain, differences had existed for a considerable time. The commerce of the States in its passage along the river Mobile was obstructed by unauthorized searches and duties. The boundaries of Louisiana, since its cession by France, had not been settled, although propositions of an amicable nature had been made for this purpose by the American government; and the Spaniards had made inroads on the district of New Orleans, and the Mississippi, even in those parts which had been expressly and unequivocally ceded, in which the persons of American citizens had been seized and their property pillaged, not by an unauthorized banditti, but by regular and commissioned forces of Spain. Negotiations on these topics occupied the attention of the two governments for the remainder of the year, without arriving at a conclusion, and excited or kept alive that state of irritable feeling which is ever the effect of a long suspense with regard to interesting results.

The coast of America, as well as its inland territory, was not secure from insult. Many vessels were fitted out for the annoyance of her trade by private adventurers; and not only the vessels of countries with which America was at peace, but also those belonging to the United States, were captured by these uncommissioned depredators, and carried off under pretence of recurring for condemnation to regular maritime tribunals. Care however was taken to dismiss the crew in open boats to the nearest harbour; and the captured ships, after the cargoes had been transferred from them, were sunk, under the allegation of their being unable to proceed on their voyage, but solely with a view to secure that plunder which all regular courts would have disallowed. An armed force was fitted out to protect the commerce of the States on the coast, and bring to justice the perpetrators of these crimes, who were ordered to be tried and executed as pirates.

The disputes of America with the

the English government were of no unimportant character, and at one period assumed a consequence alarming, at least, to those individuals whose interests are more especially involved in the preservation of peace between the two countries. One of the grounds of this contention existed in the impressing of seamen in American vessels by British ships of war. The difficulty of distinguishing Englishmen in this situation from native Americans was considerable. Language, manners, and physiognomy, all contributed to render the discrimination a matter of peculiar nicety; and it may easily be supposed, that while the pleas of some pretenders were admitted, those of truth and justice were in some, and indeed many instances urged without effect. In the beginning of the present year the grievance attained a very considerable height, and a bill was brought in, declaring this compulsion of American citizens to serve on board British ships of war, a violation of the treaty between the two nations, and that any person engaged in impressing seamen from on board vessels bearing the American flag should be deemed guilty of piracy and felony; authorizing every seaman to resist such violence, encouraging this resistance by reward, and enjoining complete retaliation on the subjects of any foreign powers for the infliction of death, or any other punishment, on American subjects who had been compelled into their service.

The seizure of American vessels by the British was another subject of grievance and irritation, and a commission was this year appointed by the legislature of the Union, to consider the depredations committed on its commerce. In consequence of their report, resolutions were passed, that the condemnation by the British court of admiralty, of American vessels, under pretence of their being employed in a trade with the enemies of Great Britain, from which they were prohibited in time of peace, was an unprovoked aggression upon the property of the united citizens, and a violation of their neutral rights; and that the president should be requested immediately to demand the restoration of vessels thus captured and detained, and be authorized to enter into arrangements for amicable settlement: but, that it was expedient, in the mean time, to prohibit the importation into the United States of the wares and merchandize of Great Britain from a certain period, till an equitable adjustment was acceded to. A bill for this purpose was accordingly brought in, and passed the senate and the house of representatives, and received, at length, the sanction of the president.

While the public mind was thus agitated, a circumstance occurred which gave new impulse to the general feeling, and indeed wrought it into a paroxysm of resentment. In exercise of the privilege of searching neutral vessels, several British ships had been cruising off the American harbours, and captain Whitby in the Leander of 50 guns, with two other ships of war, was appointed for this purpose off Sandy Hook. Many vessels were brought-to by them and boarded, and some of the seamen were impressed or recovered into the service of England. It was sworn, however, by Joseph Pierce, master of the sloop Richard, that about a quarter of a mile from the beach off Sandy Hook, two miles south

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of the light-house, three shots were fired from a British ship of war, the last of which struck and killed a man at the helm of his sloop, the brother of the deponent, the Leander being at the time only a mile distant. The ferment occasioned by this circumstance was extreme. The body of the deceased was brought on shore and exposed to innumerable spectators, whose rage against the British commander, and government, found no language too strong for its expression. An indictment was found for wilful murder against the captain of the Leander. A reward was offered for his siezure, by a proclamation from the president. Private vessels were immediately dispatched to retake those which had been recently captured by the British, and were supposed on their way to Halifax. Provisions which had been purchased in the public market of New York, and paid for by the crew of the Leander, were detained by the people and paraded through the town, and afterwards sold for the benefit of the poor. Meetings were held of seamen and of fœderal republicans, and of various other descriptions of citizens, and resolutions in the highest degree reflecting on the American as well as the British government were passed. The fœderal party thought to avail themselves of this circumstance, to promote their success in the new elections which were at this period about to commence, and attributed to the executive power, in the strongest terms, the most culpable negligence and meanness. It was observed in their resolutions, that the money expended in purchasing the wild lands of Louisiana should have been employed in building ships of the line, to repel insult and aggression. Peace had been obtained by the executive government from foreign powers, not by the manly and formidable attitude of resistance, but by degrading and infamous purchase. An embargo should be laid on all provision ships destined for the West Indies. A total prohibition of all trade with Great Britain, if this measure proved ineffectual, should succeed it; and, if that should fail, the confiscation of all British property must inevitably terminate the arrogance and madness of the British government. It was their duty to seek a president who would abhor tribute and protect his country; who, instead of devoting his time to the stuffing of racoon skins, and the dissection of wild animals, would assert the rights, protect the flag and maintain the honour of his country.

In these circumstances, it was thought expedient for the adherents of the government to enter most fully from policy, if they could not from feeling, into the general impulse of resentment against Great Britain, and, if possible, in pointed remark and menaces of vengeance to exceed the fœderalists themselves. This policy may account sufficiently for the violence exhibited by them on this occasion, and which was found effectually to answer its purpose of counteraction. The elections passed over without any diminution of their influence. The popular ferment gradually was permitted to subside, and Messieurs Monro and Pinkney were nominated commissioners and plenipotentiaries to the British court, to settle "the differences relative to wrongs committed on the high seas and other waters;"

waters;" men of abilities and conciliating manners, who at length, after many communications with the English government, completed on the subject a treaty, which, about the close of the year, they carried over for the sanction of their government.

During the course of this year an enterprise was formed against the Spanish settlements of America, which attracted the attention of that continent in an extraordinary degree. General Miranda, a native of the Caraccas, who had distinguished himself in the revolutionary wars of Europe, a man of an ardent mind and great resources, conceived the project of liberating his countrymen from the yoke of Spain; and comprehended, probably, in his ultimate view, the emancipation of those immense districts of the southern continent attached to that country, but by no ties of affection, and wanting only an opportunity to shake off its severe and rapacious domination. He sailed from Trinidad on the 24th of July with nine ships of war, and arrived on the 2d of August off the city of Coro, where his troops were landed under cover of the vessels, and with very slight resistance. Coro was taken by assault, speedily after the landing, after which the general attacked with success the towns of Marycabo and Venezuella. The governor of the Caraccas immediately dispatched an account of these successes to the commandants of Cumana and Marguerita, stating the weakness of his means to resist this dangerous invader, who was disseminating his revolutionary principles with equal zeal and effect. These commandants were enjoined to send all the assistance in their power in so critical an emergency, and without a moment's loss of time; the fine province of Carthagena was open to the depredations of Miranda; and indeed, unless the most decisive succours were instantly furnished, the whole country would be for ever lost to Spain. These dispatches fell into the hands of the commander of the Osprey sloop of war, instead of arriving at their destination, and excited, on their communication to the inhabitants and British at Trinidad, all that satisfaction which might be expected, and a more general disposition than ever to assist in a project which had opened with such brilliant success. Of the further progress of this active, persevering and intrepid general, no further accounts were received during the remainder of the year. The success of his arms, however, continued to be an object of the earnest wish of the friends to civilization, science, and freedom.

The British West Indies during some part of this year were in considerable agitation from the apprehension of the enemy, and the British force upon the station was not, for some time, of that strength which gave it a decided superiority. Indeed, unless that superiority were extreme, it seemed impossible to prevent constant alarm and danger, from an adversary who was frequently dispatching his squadrons from his ports in Europe, not in the hope of their return with victory, but that, during the rapid and trembling career which must prove fatal to themselves, they would be able at least to give some annoyance to their opponents. By the victory of admiral Duckworth, those fears were considerably allayed; and the knowledge, that the remaining vessels of the French in

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that quarter of the world were eagerly pursued by several detachments of the British navy, restored the islands to all that tranquillity which they are capable of enjoying in a period of war.

In the island of Trinidad, an attempt was made, or at least in agitation, to follow up the precedent of St. Domingo. Under various pretences, which had excited no suspicion in the white inhabitants of that island, the blacks had for some time employed themselves in organizing a military force, and even in arranging the municipal, judicial, and supreme authorities, which were intended, by one grand effort, to supersede the existing government. The means of accomplishing this overthrow were such as men indignant at their slavery, palpitating for revenge, and uncontrolled by habits of civilization, or by religious impressions, would be naturally led to adopt. The destruction of the innocent was to be involved in that of the guilty, and general devastation was to prepare the reign of plenty and independence. The horrid plan of massacre and conflagration, however, was fortunately discovered in due time to prevent its execution. The principals in the plot were apprehended with promptness and energy. Martial law was proclaimed throughout the island. The greatest consternation prevailed, not immediately ceasing after the danger was removed, but kept alive by the image of the overwhelming ruin which had been just escaped. The intended committee of public safety; the officers of the court, consular, royal or imperial, whichever it might be, that it was designed to adopt, speedily met with that fate the infliction of which might naturally be expected. But while the expediency of such punishment is admitted, it is impossible not to deplore the existence of such a state of society, as places its various members in a perpetual opposition of passion and interests, in which arrogant oppression stimulates to desperate vengeance; in which tyranny finds an apology for new inflictions in the necessity of self-preservation; and projects of extermination may be almost vindicated, not so much in retaliation for insulted and abused humanity, as from their being the only expedient for recovering those rights, without which human life is only a protraction of misery and humiliation.

The island of St. Domingo was totally detached from France, excepting in a very small portion still held by general Ferrand, who received some reinforcement from the squadron under Villaumez, which however was probably little more than sufficient to repair the waste of the climate. What had been practicable with his small force towards the recovery of this vast colony had been attempted, and some successes had been gained by the general which struck a panic through the negro armies, whose loss amounted to several thousands. With such means as he possessed, however, he was unable to proceed beyond very narrow limits. On penetrating into the interior he must have experienced an irreparable diminution of strength, while on the part of his enemies there existed an indefinite power of accumulation. All the territory of the French part of the island, excepting the minute portions of it held by Ferrand, was under the sceptre of Dessalines, whose ferocity was equal to his energy, and who appeared determined

mined to prevent the possibility of a recurrence to that slavery under the French which the blacks had so long endured. About the middle of May a great part of the whites remaining at Cape Francois were ordered, under some pretence, to a distance of thirty leagues from that town, where they were placed in confinement and almost immediately massacred. Those who were left behind, principally women and children, were ordered to be strangled. The thirst of vengeance and of plunder gave dispatch to the execution of this mandate. The bodies of the dead were surveyed with every expression of savage ecstasy; a free scope was given to all those malignant feelings which delight not only in destruction but in mutilation; and the repast of avarice succeeded to that of cruelty. The indifference manifested with regard to human life by the chief of St. Domingo was not confined, however, to the whites. Suspicions and jealousies constituted a sufficient inducement to him to deprive of it his own subjects and officers, without even the formality of a trial: and every attempt thus to terminate danger and suspicion, in the natural order of things, tending only to increase them, his conduct was at length distinguished by all the caprices and atrocities of tyranny. These crimes inevitably suggested projects for their counteraction. He was conspired against by his army, and arrested most unexpectedly at the head quarters, receiving, in his struggle to escape, a blow which terminated his tyranny and his life. He was succeeded in the supreme authority by general Christophe.

In 1805, when our empire in India was considered in a state of crisis, and the existing governor was involved in such extensive hostilities as must inevitably be followed by a great impairment of force, and in which a sudden reverse might have led to the subversion of the British authority on the continent of Asia, it was thought proper to depute to the chief administration of India, a person with extraordinary powers, who might be qualified to counteract the danger of the time, and give tranquillity and security to the British possessions. For this purpose the marquis Cornwallis was selected, whom long residence in India had thoroughly acquainted with its affairs, whose moderation was ensured by the advance of years in addition to his constitutional humanity, and whose conduct to the native princes of that immense territory had excited in them the most profound confidence and veneration. On the part of the government and of the directors there was but one opinion respecting his appropriateness to the service; and notwithstanding his advanced age, and the slight prospect which could be entertained of his return to his native country, he considered it as his duty to comply with the wish of his country, and embarked for India. His voyage was secure and rapid, and on his landing he proceeded without delay to take the command of the army in the field; but in his progress he was arrested by disease, which soon terminated in his death at Ghazeepore in the province of Benares. In India this event was contemplated with the most sincere regret. Every attestation of grief was given by the native powers and the British government in that quarter of the world, for the loss of a man who had spent in that country,

country, and with the happiest success, the most vigorous years of his life, and who had closed his course of honour by devoting his last efforts to its service. At Calcutta a general mourning took place on this interesting occasion, and a committee was appointed afterwards in England, to prosecute the most eligible scheme for perpetuating the memory of his services and virtues.

Soon after this occurrence, which took place on the 5th of October 1805, the operations of the British arms in India, which had been distinguished by a series of the most rapid and brilliant victories, were completed. Scindia was reduced to sue for peace; and all the differences existing between him and the English government were adjusted by a treaty concluded by lord Lake, under the instructions of sir George Barlow, who had provisionally succeeded the marquis Cornwallis in the chief government. By this treaty it was agreed, that the peace concluded by sir Arthur Wellesley should remain binding in every respect, excepting in what it might be expressly altered by the new engagement. The fort of Gualior, and certain parts of the territory of Goliud particularly described, were ceded to Scindia, who agreed, in consequence, to relinquish all claim to a pension of fifteen lacks of rupees which had been granted to several of the chief officers of the government of that territory; which pensions, however, were to be paid up to a certain period, with the balance due, at that time, upon certain specified revenues, but with particular deductions enumerated in the treaty. To prevent misunderstandings in regard to the respective possessions of the parties in Hindostan, Scindia agreed to yield up to the company all that territory north of the river Chumbul, which had been ceded to him by the treaty with sir A. Wellesley; while the company disclaimed all rights and possessions on the south bank of that river. On the banks of the Jumna certain specified districts were to remain with the company. The annual sum of four lacks of rupees was granted to Scindia, to be paid by quarterly instalments, in consideration of the friendship of the company, who stipulated also to make an annual allowance of two lacks to the wife of Scindia, and of one lack to his daughter; to be effectually secured. The company engaged also, not to interfere by any treaties in the settlement which Scindia might think proper to make with certain tributary chiefs in particular provinces. And, in contemplation of the speedy termination of the war with Holkar, in a final settlement with that chief, they agreed not to interfere with the wishes and interests of Scindia, with regard to certain districts which had been taken by the latter, who should be at full liberty to make his own arrangements with that chief respecting these or other claims of his family: the company at the same time determining to take no part in any war, which might result from any attempted arrangement between these parties on these subjects. Sarjee Row Ghautka, having acted in such a manner as to disturb the friendship of the two states, it was agreed by Scindia never to admit him to a share in his councils, or to hold any public employment under his government.

The anticipation of a speedy settlement with Holkar, who was

now expelled from his dominions, and obliged to prostrate himself at the feet of the company, was speedily verified. Reduced to extreme distress, he, on the 23d of December sent vakeels to the camp of lord Lake, entreating him to grant such terms of peace as his justice and humanity might dictate. The severe privations which he had long endured, joined to the desertion of a very great part of his officers, and a considerable number of his troops, produced the necessity of this application; which was, without delay, acted upon by lord Lake, between whom and Holkar a treaty of peace and amity was agreed upon by their respective agents on the following day. In this treaty the company engage to have no concern with the present possessions of the family of Holkar, in Mewar, Malwa, and Harrowte, or with any of the rajahs south of the Chumbul: and to deliver over to him his antient possessions in the Dekhan, south of the river Tapti; with particular exceptions, which, at the expiration of eighteen months from the date of the treaty, if the conduct of Holkar should evince his amicable intentions to the British government and its allies, they agree also to restore to him at that time. The district of Koonch, in Bundlecund, was also reserved by the company; and at the end of two years, if Holkar in the interval should manifest the relations of peace and amity, it was to be given to his daughter in jaghire, to be held by her under the company's government. All claims of every description on the British government were renounced by Holkar, who pledged himself never to receive into his service any European, whether British subjects or others, without the consent of the British government, and not to admit into his councils or employment Sarjee Row Ghadalka, as he had been proclaimed an enemy to the English. On these conditions Holkar should be permitted to return to Hindostan, although by routes which left certain towns and countries of the company and of the rajah of Jypoor on the left, and in which his troops should make no plunder, and commit no hostility, without any molestation from the English government, which should not interfere in any manner in his concerns.

Such was the result of a confederacy of the native princes of India, against an ally of the British government; a result not unaptly compared to the effect of the coalitions of Europe against the power of Bonaparte. In both quarters of the world these combinations have failed, and shown to how great disadvantage allied princes, with passions and interests in frequent collision, with no supreme presiding principle of counsel and execution, act against a solitary power, with one object, one interest, one passion only to gratify; with no necessity for delay at the period of action, no suspicion of perfidy in professed co-operation, and with respect to which the plan and act proceed from the same point, and almost in instantaneous succession. The vast territory of Hindostan may be considered by these conquests as having fallen into the power of the company; as the native princes, however nominally independent, and free from pretensions of sovereignty on the part of the company, are reduced to that state of weakness which places them completely within its grasp, and in which by

arms or intrigue, by address or menace it may be presumed they will now be retained. The progress of the British influence in India, from the period when a few scattered factories were its only evidences, to incipient power, and finally to almost complete domination, is a subject of extreme curiosity and interest. How little could the original English participators of the commerce of India anticipate the dominion of its vast territory! The circumstance of a company of merchants possessing no particular influence, rank, or estimation in their own country, administering the affairs of so extensive and populous a portion of the globe, where they are regarded by the natives as the delegates of divine power, and contemplated with an awe attached to the most despotic sovereigns, must be regarded as anomalous in the history of the world. It cannot at the same time be doubted, that notwithstanding this absurdity, this complication of traffic and sovereignty, in the administration of India, the devolution of power from the native princes into European hands has been eminently advantageous to the inhabitants of this territory. Wars have not been more frequent or more sanguinary. The stability of laws has been substituted for the caprice of despotism. Arts and manufactures have flourished under the shade of British protection. Even gleams of science have animated the profound obscurity of mysticism and ignorance in which these vast regions were enveloped, and the most obstinate of all prejudices, those arising from mistaken notions respecting the influence of preterhuman agents in the affairs and destiny of man, and which lead to all the horrors of superstition and intolerance, have begun to yield to that wise indulgence, that gentle illumination, which have on these points characterized the English government. Undoubtedly exceptions must have occurred, and the interests of large districts and provinces have been sacrificed to the rapacity of powerful agents. The general system, however, must be supposed to have been infinitely preferable to that restless insecurity, and uninterrupted barbarism, in which India was involved under the native governments. The maxims which the late lamented marquis Cornwallis so successfully practised, and which rendered him the idol of the people, and even of the princes, in this immense portion of the world, would doubtless have been extended by him throughout the additions to the company's sovereignty, acquired by the late splendid successes, and will, it is hoped, under directions from this country, be equally patronized by his successor.

In the month of July this year, a most melancholy and sanguinary occurrence took place at Vellore, which was garrisoned by six companies of the first battalion of the first regiment, the first and second battalion of the 23d, and four companies of his majesty's 69th. About two o'clock on the morning of the 10th, the European barracks were surrounded, and from every avenue a heavy fire from musquetry (one six-pounder was also employed) was discharged on the soldiers within. The sick in the hospital, the sentinels, and the soldiers at the main guard, were put to death; after which the sepoys proceeded to the houses of the officers, destroying all whom they could find. The commander of one of the bat-

talions, colonel McKerras, was shot while he was haranguing his men on the parade; the commander of the fort, colonel Fancourt, was killed as he was proceeding to the main guard; lieutenant Ely, of the 69th, was stabbed, with his infant son in his arms, in the presence of his wife. About seven o'clock two officers and a serjeant, who were quartered near the barracks, were enabled to introduce themselves among the soldiers there, and took the command of the four companies which remained. After a few rapid arrangements they sallied out and secured the six-pounder. At the moment they reached the gateway, which they did with extreme difficulty, col. Gillespie, with a troop of the 19th, from Arcot, which he had left at six o'clock, also arrived. He was drawn up by a rope, and, having taken the command, was about to charge the insurgents with the bayonet, when the galloper guns of the 19th arrived; and the gates being blown open, the 19th were admitted, and very soon overwhelmed the sepoys, who were ineffectually exhorted by their officers to make a decisive stand. About six hundred were cut down; two hundred, who had taken shelter, were dragged from their lurking-places, and shot; five hundred escaped, it was imagined, through the sally port, but many of these were afterwards taken. The second battalion of the 23d had been raised to the southward, and consisted chiefly of Colliories. It was imagined that their officers had received bribes from one of the princes for the delivery of the fort, (after the possession of which, it was stated, they were to have been joined by a vast force from Mysore within a few days,) and found in these troops a perfect disposition to co-operation in the project. Soon after the firing commenced, Tippoo's standard was hoisted on the palace, and under the first impulse of resentment, colonel Gillespie was on the point of ordering the palace; to be given up to the plunder of the soldiery: but this was prevented by the intercession of lieutenant-colonel Marriot, who stated his perfect conviction of the innocence of the princes. It appeared that a code of regulations had been recently introduced into the army, which had excited considerable disgust: a new turban, in particular, had been ordered to be worn by the sepoys, similar to a drummer's cap; they were also commanded to shave their upper lip, and the peculiar marks of their cast fixed on their forehead were to be removed. A few weeks before this event, one corps had been removed to Madras, in consequence of a refusal to adopt the turban, which, with other circumstances of dress that had excited alienation, were speedily ordered by lord William Bentinck to be no longer enforced. Commissioners were immediately appointed to investigate the causes of this dreadful catastrophe, and to bring to punishment all those concerned in it, who had not fallen victims to their treachery. Besides those already mentioned were killed, major Armstrong, captain Milne, lieutenants Winchoppe, Jolly, O'Reilly, Fitchbenner, Popham, Smith paymaster, and Mann commissary of stores: besides the rank and file killed, eighty-eight were wounded. The report of the commissioners, when it appears, will probably be found a document of considerable interest, and, it is to be hoped, will effectually prevent those interferences with the religious prejudices of the natives,

ives, which, if we can admit them o have been exercised in the pre- ent instance, may easily account or this deplorable calamity, but ought to bring down heavy pu- nishment on those in authority who could wantonly furnish such fuel or mutinous disaffection and fa- natic zeal.

The laurels of victory which the marquis Wellesley had collected during his Indian administration were no security against his being charged with delinquency of a very serious and important nature, by Mr. Paull, who, on this subject, manifested a spirit and perseverance of no common character. He had to contend with obloquy in all its various forms, for discharging what he conceived a most solemn duty; and, without pretending to decide on the merits of the case he under- took, it is impossible not to admire the firmness which he manifested in it. At the same time it might be lamented that the importance of the undertaking did not lead him to see the expediency of procuring the cordial and assiduous co-operation of other members, instead of rely- ing exclusively on his own strength. One charge laid on the table of the house against the noble marquis, imputed to him the wanton and profuse expenditure of the money of the company for his own indivi- dual luxury and vanity, and another related to his conduct to the na- bob of Oude. Mr. Paull charged the noble marquis with exacting from this prince, without any pro- vocation, in opposition to express orders from the company at home, and existing treaties with the na- bob, the most exorbitant sums of money; with demanding from him the surrender of territories guaran- tied by positive compact; with urging the disbanding of his ar- mies; and with such treatment of disrespect and severity, such de- gradation in the eyes of his subjects, whom the marquis is stated perpe- tually to have inflamed to disaffec- tion and rebellion, as were calcula- ted and intended to produce his re- signation: in addition to which was also made the solemn accusation of murder. Whether the charges were deemed by the majority of the house but ill supported; or whether the late governor's connection with some of the existing ministry gave him any advantage on this occa- sion, more natural than just, no re- solution of impeachment was adopt- ed by the house; which seemed to feel but little interest on the subject, and contented itself with the exami- nation, at the bar, of a few witnesses. The testimony of these persons, who, it should be observed, possessed great respectability and information, went to prove, that the late governor had possessed the complete confidence of the marquis Cornwallis, and of lord Teignmouth, and, in every affair of consequence, of his own council, and had so conciliated the natives of Oude, that, after the beneficial treatment they had experienced from him, they could never hear of his being accused, on his return to England, of oppression, rapine, and murder, but with the most perfect surprise and indignation. The trial by impeachment, in cases of Indian peculation and oppression, was, on the subject of the marquis's case, arraigned by Mr. Fox, as in- capable of answering the ends of justice, and what he should oppose decidedly, from the experience he had had of its dilatory and inefficient operation; notwithstanding which, he admitted that the power of im- peachment was among the most di-

tinguished rights and privileges of the house, not inferior, indeed, to its power of legislation, and the exercise of it, in many cases, a matter of extreme facility as well as effect. The mode suggested by Mr. Banks of a trial before a tribunal, the arrangements of which are expressly stated by an act of parliament, and exclusively applied to the cognisance of offences in India, a tribunal consisting of a certain number of peers and commons, with one judge from each of the courts of law, seemed rather to be inclined to by Mr. Fox, but was opposed by others, equally tedious and unsatisfactory with the proceedings by impeachment;—the only case in which this occasional court had been ever engaged, having occupied no less time than the case of Mr. Hastings. It must be acknowledged, that it would appear somewhat unfortunate, if offences against law were to escape punishment from the difficulty attending any particular mode of trial; and surely, if no effectual provision be yet established, by which the delinquencies of provincial administration may become the subject of legal discussion and decision, with all the speed consistent with the gravity and peculiar circumstances of their nature, one of the most urgent objects of parliamentary attention must be the supply of this deficiency. In any thing that has been stated on this subject, it is very far from being intended to anticipate any judicial result on the conduct of the noble marquis, whose military government has been splendid, whose civil administration has, in various instances, shown a combination of the noblest philosophy and humanity, and who, if clear of the offences so gravely imputed to him by a British senator, must wish for nothing more ardently than an opportunity to vindicate his innocence.

The circumstances of the East India company, it will be seen, by a reference to the debates of the year, have excited considerable attention, although by no means that profound and continued discussion, leading to decisive measures of reform, which they would naturally suggest. The situation of the company, for a succession of years, has been stated by ministers to be, in relation to its finances, in the highest degree flourishing: yet, amidst these prosperous and improving circumstances, its debt has been accumulated to the immense sum of thirty millions sterling; and only in one year, since its stipulation to pay 500 thousand pounds per annum, in consideration of its renewed charter, has that payment been actually made. It was therefore truly observed by Mr. Fox, that since the grant of that renewal the company's affairs must have been managed with the most gross and criminal neglect, or that parliament were deluded at the time of the grant, by an impudent and fallacious statement. The deterioration of the company's affairs was clearly admitted by lord Morpeth, in his speech on the East India budget, from the accounts within the three last years, to which a statement could be made up; and it is ascribed to those continued wars in which the company has been involved, and which, without question, must have contributed to the production of it. The necessity of these wars themselves, however, at least in part, is still a question open to discussion; and even admitting their urgency, the dilapida-

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ted state of the company's financial affairs will be thought scarcely attributable to their operation alone. The state of the company in this respect, is considered by the best judges on the subject to call loudly for immediate and minute investigation; and one of the most competent of all persons to give an opinion on so important a topic, to which his attention has been devoted during a long and active life, the greater part of it spent in the company's service in India, has explicitly declared in parliament, that the best mode of relieving the difficulties of the proprietors, and of establishing the security of the empire, is to blend their debt with that of the nation, to detach the dominion from the trade, to limit the company to those mercantile concerns to which, and to which alone, it can be supposed effectually competent, while the administration of India should devolve wholly and completely on the sovereignty of the British empire. This plan of Mr. Francis, advanced by him in the present year in parliament, is by no means new. The obstacles to its execution, at first appearing to many insurmountable, would gradually and every day diminish. The time, it is hoped, may be considered as rapidly approaching, in which the sovereignty and the debt will both be transferred to the government of this country; after which that unnatural monopoly, by which Britons are permitted to exclude their fellow-subjects from a trade to which they admit the inhabitants of other countries without hesitation, cannot long survive, and English capital and enterprise will possess the fair chance which alone seems necessary to ensure them a superiority over every competitor.

Towards the close of December, war was proclaimed at Constantinople against Russia. The troops to be employed in this contest, which she had for some time expected, as well as provoked, were committed to the command of general Michelson, who soon surrounded Choczim and Bender. The division of the forces of Russia, occasioned by her being involved in this additional war to what she previously carried on with France and Prussia, was an evidence, if not of good policy, of good fortune, on the side of Bonaparte. Turkey, on the other hand, presenting the spectacle of a government cajoled by its pretended friends and invaded by its enemies, with hesitation in its councils and rebellion in its provinces, possessed no security for her existence but what flowed from the difficulty of dividing her as spoil, and increased the ardour of those hopes which have so long been cherished by the friends of humanity, of the speedy arrival of the period, when this abject and polluted despotism shall be swept from the surface of the European continent, and Greece shall again behold her sciences and arts, her patriots and sages, in the room of bashaws, bigots, and the Koran.

Spain exhibited another impressive, and indeed disgusting, instance of national degradation. Her navy had been sacrificed to the temerity of her impetuous and domineering ally; her foreign provinces were about to be rescued from her grasp by daring adventurers, or the regular forces of her enemies; and although she levied troops for their recovery or assistance, she was destitute of the means of transferring these troops to the scene of action. Her North American settlements were bestowed on France in gratitude for its protecting cares, and

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sold by that power to fill its exchequer, by which it might extend its usurpation. The intimate relation of her sovereign was dethroned by her professing friend, with no decorous reserve, no palliated and remorseful hostility, but with circumstances of the most aggravating insult. The possessor, and the heir apparent of the Spanish throne were under the control of a minister, himself dependent for support, not on her own degraded nobility, but on a foreign power, to whose vast empire this once proud and independent nation was bending in tributary subjection. The commerce of Spain was approaching rapidly to annihilation; her revenues were failing; she flourished only in bigotry, poverty, and humiliation. Her reduced and miserable population, partly and principally, sought redress for their affairs in resorting to beads and processions, to priests and images; while the remaining few saw no resource but in that effectual reform of public establishments, which it seemed impossible to accomplish without incurring the horrors of the most sanguine revolution.

Portugal was not a little alarmed at the commencement of the year by the idea of a Spanish invasion, which has so frequently aided the completion of Bonaparte's requisitions on that country, and, through her, answered another important object of his policy—the embarrassment of the credit and commerce of Great Britain. In the course of the year a British squadron, under lord St. Vincent, entered the Tagus, accompanied with circumstances of mystery, which excited the attention and suspicion of the Portuguese, and which do not appear to have been completely explained. It was concluded, that, in the event of the menaced invasion, which Portugal could not have effectually resisted, if undertaken on a large scale, it was the wish of the court to remove to its South American possessions, and that the detachment of the British navy was appointed to be in readiness for the accommodation of this desire. Without attempting to explain the wishes and mysteries of cabinets, it may be pronounced, that such a project would not have disgraced the court of Portugal. The extensive territory of the Brasils, abounding in all the means of subsistence, luxury, and power, and situated in one of the finest climates of the globe, supplies the basis of an empire, which, under the legislation of wisdom, would rapidly attain all the characteristics of national greatness. Institutions scarcely susceptible of control in the old country, which had formed its manners and prejudices, and, notwithstanding their deleterious influence, were supported by what they had thus produced, might be easily prevented in the new; and the prosperity, as well as magnitude, of the South American kingdom would soon leave but little room to regret the transfer of the seat of power.

Switzerland was materially affected by the recent treaty of Presburg, which, by distributing the Tyrol between powers in intimate alliance with France, or rather in complete subjection to her, invested the Cantons with a chain of fortresses, which rendered their independence, if possible, less real than before. The exclusion of English goods from this territory, and particularly from Basil, the grand depôt, through which they had found their way, by the agents of France, into that country, was urged, by the mandate of Bona-

parte, with extreme severity, and eleven of the principal merchants of that place were ordered into confinement at one time, on the representation of the French envoy; while Bonaparte, in a letter to the landamman, in return for a compliment on the marriage of the viceroy of Italy, declared, not only that he was extremely affected by that expression of the good will of Switzerland, but that he would ever entertain the most anxious solicitude for its independence.

That neutrality which it had been the policy of Denmark to maintain while it was possible, during the whole revolutionary conflict, was this year observed with its former strictness. Instead of involving herself in the vortex of European politics, in which it would have been scarcely possible for her to have escaped ruin, she limited her exertions to those internal arrangements which constitute the true happiness of states, and conciliate popular attachment even to governments of despotism. An attempt was made on the part of the French government, to seduce or compel her to break through her neutral policy, by shutting the Sound against the English. After the occupation of Lubec and Hamburgh, her situation became somewhat alarming. The storm however soon dissipated. It may deserve to be remarked, that Denmark felt herself to be in a materially different situation from several other governments of Europe, which were so near ruin as not unreasonably to entertain apprehensions from reform; and undoubtedly, in periods of restless feeling and boundless speculation, the very extensiveness of abuses will be admitted by many as a plausible argument against commencing their extirpation, and will be often felt by the government itself as an argument more than specious. Such, however, was not the situation of Denmark. The erroneous opinions of former ages on theological subjects she saw, and was disposed to remove. The first separation from popery naturally involved much of its absurdity and superstition; and these indeed tainted, in some degree, all the protestant forms of service. Commissioners were appointed by Denmark for removing, or at least moderating, these absurdities. A new translation of the Bible was ordered to be prepared, and the liturgies of the state were to be rendered more conformable to its ascertained contents. The example afforded by this kingdom, of caution and liberality, of resistance to anarchy, and concession to the spirit of improvement, is eminently worthy of imitation, and presents a happy contrast to those states, in which the governments have concluded that there was no security but in the continuance of abuses, and the people no deliverance but in complete and absolute subversion.

CHAPTER XIII.

Illness of Mr. Fox—Fatigues and Embarrassments of Office add Strength to his Maladies—Death of Mr. Fox—The Public Affliction at this Intelligence—Procession at his Interment—His Private Character—Short View of his Political Life—The Financial and Military Arrangements of his Administration—His Motion for the Abolition of the Slave Trade—His Conduct with respect to Foreign Powers—His Efforts for Peace—Is succeeded by Lord Percy for Westminster—Dissolution of Parliament—Boisterousness and Rudeness attending the New Elections—Influence of the People in Southwark, Liverpool, and other Places—Conduct of Sir Francis Burdett, nominated for Middlesex—Trial of Lord Melville.

THE accession of Mr. Fox to power, whatever hopes it might excite in political party, or in the great body of the nation, was a circumstance pregnant to himself with inconvenience and danger. In a life of retirement, which, comparatively speaking at least, he might be said to enjoy, before his summons to power by the death of his political rival, the consequences of his youthful eccentricities, were capable of being palliated by cautious attention and remedial applications. But on his advance to office, the perplexities of intrigue, the collision of claims, the chagrin of submitting to arrangements which he most desired to preclude, but which it seemed requisite to adopt, the prolonged contests in parliament, the frequent summonses to council, and even the very convivialities with which it was thought expedient to celebrate and cement a new administration, were but ill calculated for the preservation of that health, which was now more than ever desirable, but seemed also more than ever in danger. In a few months symptoms appeared of an alarming nature, and it was strongly apprehended that Mr. Fox laboured under an incipient dropsy. The business of the house of commons he was consequently obliged to abandon: but with this deduction from his harassing employments the remainder pressed too heavily upon him; and whatever chance might have been afforded by a total abstinence from public business, and a recurrence to his rural retirement and regularity, this chance was not afforded. It was not long before the most decided indications of dropsy appeared, in consequence of which, all hope of continued life was founded upon a long succession of operations, which, in comparatively vigorous subjects, have sometimes preserved the springs of life for a series of years, but which a broken constitution has seldom, if ever, been capable of sustaining. The operation of tapping was several times performed on Mr. Fox, producing that temporary relief which it seldom fails to effect: but the disease was too formidable for effectual resistance, and, in a short time, even for mitigation. After a series of increasing languors, amidst which, the fondness of affection would seem to perceive foundations for hope, which medical skill could never really admit, this great man, in the 59th year of his age, closed his connection with all mortal scenes.

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The regret occasioned by this event was evinced by the general feeling at the reception of the intelligence, notwithstanding it had been so long expected, and by that procession which some time afterwards took place on the solemn interment. The funeral was performed at private expense, but attended nevertheless by the most distinguished nobility, vast numbers of the house of commons, many dignitaries of the church, members of the whig club, electors of Westminster, and gentlemen deputed from distant parts of the country, in testimony of their repect for the character of the deceased, and an immense assemblage of the general population of the metropolis. One general sentiment of grief appeared to overwhelm all the distinctions of party politics, and the day that consigned Mr. Fox to the grave was consecrated, from all profane and factious asperity, to deplore the loss of a man, whose genius, acquirements, and virtues did honour to the nation and to the age. The private character of this great man appears to have abounded in all those qualities which can conciliate affection and esteem. The independence of his mind was totally unmixed with any portion of that surly asperity with which it is too frequently connected; and while it excited respect, it did not impair attachment. The frankness of his manners, the generosity of his feelings, which, agreeably to the testimony of one who knew him well, were unalloyed by the smallest particle of gall; the elevation of his principles, and that self-oblivion which he displayed in circumstances, where personal interest, in common minds, appears to absorb every other sentiment, procured for him, in return, a degree of regard, which perhaps was scarcely ever exceeded to any human individual, as he appears to have been excelled by no one in the tenderness of his affections, the sublimity of his views, and the comprehension and sagacity of his intelligence.

That unanimity of approbation bestowed on his individual character, it would be absurd to expect in his political one. A circumstantial detail of his public life would be ill suited to our present object; yet to advert to a few events in the career of this distinguished man, may be thought a natural appendage to the announcement of his quitting this earthly stage. In the commencement of his parliamentary course, he displayed those principles which he had derived from his father, and which were designated by the term toryism. Some altercation, however, having arisen between him and lord North, he was abruptly dismissed from his office, as commissioner of the treasury, and, with all the irritation of resentment at the sarcastic and triumphant mode with which his ejection had been declared to him by the premier, threw himself into the arms of the opposition, consisting of men of the most splendid talents, and to whom he afterwards confessed himself obliged for any knowledge of the true principles of the constitution, and for that glowing attachment to general liberty which he possessed. During his career of opposition the most indignant and personal language was applied by him to the principal minister lord North, for whose crimes no epithet was too strong and no punishment could be unmerited. The ill success of the American war, at length, combined effectually with the representations made of its folly and iniquity, by Mr. Fox and his colleagues, to

bring it to a termination, and the party of opposition succeeded to the helm of government. The death of the marquis of Rockingham, who was the bond of union to this party, soon afterwards dissipated it; and lord Shelburne being appointed to the chief station in the government, Mr. Fox abandoned his situation and formed a political alliance with lord North, whose measures he had incessantly reprobated, and whose principles he had so frequently declared pregnant with all political and moral evil. This union, however, may be considered as reflecting more on the discretion of this great man than on his integrity. There appears no reason why men of the greatest abilities should not combine their talents in the service of their country, notwithstanding a long opposition on certain particular measures. The grand interests of the state are, in general, obvious and admitted, and good manners and good temper are alone necessary to give the most beneficial effect to these alliances: but it appears requisite to this effect, that all the virulence of invective, and foulness of abuse, should not have been previously applied by one of these parties to the other; and that, notwithstanding the most determined opposition to measures, the promoters of them should be regarded as contemplating in them, however mistakenly, the national benefit. Had Mr. Fox's opposition been conducted within these limits, the measure of the union might have gained the approval instead of the reprobation of the country, and really have contributed, in a material degree, to its advantage. But after all that had passed between the parties, the British public could not pardon the forgiveness of Mr. Fox; and the introduction of the bill for the government of India, which was his own avowed and favourite offspring, and which was calculated to give an influence to the ministry, if not beyond the control of the crown, at least alarming to its prerogatives, completed his expulsion from power. In the case of the regency, Mr. Fox, at that period on his travels through Italy, was recalled with all possible urgency, and returned with the greatest dispatch. Here again, however, his transcendent ability seems to have failed him; and instead of abiding by the expediency of appointing the heir apparent to the administration of sovereign power, he adopted the ground of absolute right in the prince—thus infringing on popular privilege, and furnishing his rival with an opportunity of standing forward on constitutional principles, and connecting the rights of the people and the measures of the ministry on this important topic: an opportunity on this occasion not lightly to be lost, and which was employed with equal exultation and effect. In the trial of Mr. Hastings, Mr. Fox displayed all the eloquence and the energy, perseverance and sagacity, which that momentous case required: and with respect to the Spanish and Russian armaments, his efforts were successful in preventing the desolation of war, for objects, the importance of which by no means appeared capable of justifying the solemn and final appeal to arms. The mission of Mr. Adair, however, to the court of Catherine the second, with a view to counteract the representations of an authorised diplomatic agent from the executive power of this country, was an unjustifiable interference with the rights of that power, and an assumption on the part

of an individual subject, deserving, at least, of strong reprehension.

At length was exhibited on the theatre of human affairs, that event which divided the opinions of the wisest and the friendships of the best of men, the French revolution. The glowing sentiments which animated Mr. Fox, at the dawn of liberty in France, did credit to his feelings, without detracting from the reputation of his wisdom. Within no long period, however, this event wore an aspect of alarm and danger. Attempts were made to sap the foundation of all legitimate authority. The understandings and the passions of men in France seemed to have for their object, to sweep away completely the institutions of ages; by which the greater part intended, probably, merely to clear a basis for the erection of some perfect system, which should preclude all public, if not personal, evil; while the designing few encouraged the general impulse, considering how they might build their own elevation on the ruins of preceding establishments. All those deviations of the human mind, which in all ages have tended to subvert the order of civil society; all the eccentricities of imagination on the important topics of property and marriage, on religion, politics, and morals, were circulated with extreme avidity; and he, whose suggestions were most in opposition to that experience, which, in all ages, is the only guide of life, was the most approved legislator of the day. These feelings were not confined within the limits of France, but were imported by the visitors from every neighbouring country; and every packet from France to England was said to be freighted with returning proselytes, who, in their turn, were zealous to become evangelists of the rights of man, and to lay the axe at the root of all hereditary institutions. In this period of alarm, the course taken by Mr. Fox met with a decided opposition. The danger to the constitution existed not from prerogative, but from democratic phrensy. The crisis of the times required the reins of government to be held with a firm hand. It was a time which, it was asserted, might even suspend liberty to preserve order; without which, liberty is, in truth, only the most abhorred species of despotism. Yet the tide of the moment seemed to derive fresh impulse from the energies of Mr. Fox. The measures of the government to keep aloof from this happy island the mania which was laying waste the continent, were opposed by him with the extremes of ardour and perseverance; and the "sovereignty of the people," so incapable of being denied, but so liable to be abused, was incessantly presented to their notice, as if with a view to stimulate to that resumption of power from the crown which Mr. Fox would have been the first to have resisted with his blood. The long secession of Mr. Fox from parliamentary duty, is a measure which can never be vindicated by those who think, that in no case the country should be despaired of; and such conduct must, perhaps, be ever considered rather as an evidence of personal mortification, or diseased sensibility, than as the result of just views of patriotism and human nature. During the protracted course of his opposition, however, the utility of his parliamentary vigilance must in many cases be admitted. The eloquence and zeal with which he advocated the cause of American rights and general toleration, can never be forgotten:

and should it be observed, that even these exertions were to be ascribed more to the leader of a political party than to the principles or feelings of the man, let the observation be also extended to other acts of his opposition, which are imputed to him with all the severity of crimination. This remark is, in truth, of no unimportant consequence. Men of talents, out of power and place, without something of a regular opposition, would be thought likely to sink into that insignificance which would not only be unfavourable to their own projects of ambition, but to the interests of the nation, by relaxing the attention of ministers to the performance of their duty. The measures of ministry therefore often, if not generally, influence by the rule of contraries the conduct of opposition; and light and reprehensible as some may consider this mode of proceeding, which, certainly, has often been carried to the most criminal excess, it, at least, can scarcely be doubted to be that which has been adopted to a certain extent by the best and wisest oppositions that ever existed in this country. As advocates before a judge, regarding the English public in that capacity, they have considered themselves advancing with ministers every argument that could be suggested on all subjects of consequence that could be brought forward, and in every point of view; thus furnishing the materials, which it would be difficult, if not impossible, to obtain by any other means, from which truth and impartiality are to decide, and promoting that discussion which must be supposed friendly to the nation's interest. Liberal minds, reprobating, at the same time, the excesses sometimes resulting from this system, will make considerable allowance from it for that conduct in an opposing party, which, without such reference, would draw down strong reprehension, and will be inclined to admit the probability that on an exchange of circumstances, the hostile party would often have actually adopted the measures which it in fact resisted. With respect to the real sentiments and measures of a statesman, it would thus appear, that they seem rather to be collected from his conduct in the cabinet than out of it. Even this criterion, however, can be regarded as by no means infallible; and with regard to the present instance, of Mr. Fox, the appointment of lord Ellenborough to a seat in the cabinet, and the bill to accommodate lord Grenville with the office of first lord of the treasury, which could not be considered as the most auspicious commencement of the new administration, will be presumed by many to have resulted rather from the necessity of his situation, or, to do justice to his patriotism, of his country's situation, than from his own individual and ardent wishes. But even admitting the perfection of the above test, Mr. Fox has unfortunately left but few materials of decision, his official life constituting only a very small part of his political existence.

The emergencies of the state requiring extraordinary means, it was creditable to Mr. Fox that he persisted in the plan of his predecessor in raising a great portion of the supplies within the year. The clamour attending the adoption of this plan he wisely disregarded. Those who expected that great difficulties should be surmounted without extraordinary efforts, and that ministers, as by some magic spell, could raise immense sums without aggravating

vating the public pressure, were particularly indignant at that increase of taxation, which adds indeed to the burden of war, but quickens the approach of peace; and renders its arrival the more welcome in proportion as its relief is more effectual. The property tax is undoubtedly susceptible of modifications of considerable importance, but as a general resource its operation is of extraordinary consequence to the credit of the country; and, while it will prevent unnecessary wars by its pressure on those men of obvious and palpable property, who possess the constitutional check on prerogative, it will, in connection with the other war taxes, facilitate the termination of such as are justly incurred, by constituting a basis for the periodical liquidation of loans, and displaying an extent of resources, against which it will be found vain for an enemy to urge unjust and arrogant pretensions.

The arrangement of the military establishments of the country, under the auspices of Mr. Fox, appears the result of a liberal and judicious policy. The reduction of the volunteer force within that extent to which alone the term properly applied, restored to the country a considerable amount of allowances, which might purchase for it a far greater portion of military strength than the new regulations withdrew from its service. The act which provides for the training and arming a considerable part of the general population of the country, to be called out according to its presumed exigencies, is a measure, the propriety of which must appear obvious to all, who admit that defence is among the very first of national interests, and that it can be most effectually accomplished by forming a nation itself to the knowledge and use of arms. With respect to the regular and disposable force of the empire, the exchange of the term of service for a period of years instead of for life, accompanied with arrangements rendered expedient in relation to remote settlements, and seasons of actual hostility, is calculated to produce the happiest effect. So reluctant are men to bind themselves irrevocably to any obligation whatever; so willing to preserve at least some reversion of discretionary power, to be exercised according to contingencies, that the facility of procuring supplies to the army must be considered by the adoption of the above alteration as most materially increased. The possibility of withdrawing after a certain, and no long period, will be a most impressive recommendation to the service; to withdraw from which, it is probable, few will in fact avail themselves of this possibility, as men are the creatures of habit as much as they are the advocates of liberty; a circumstance which, in connection with the advance of pay, proportioned to the duration of service, will render secessions probably of rare occurrence. It is always of high importance to a state, that any large body of men in its employment should look on that employment as honourable and desirable, and be thus conciliated to their situation, which precludes the elements of mutinous feeling, and induces a cordial discharge of duty. Persons of greater respectability than formerly, may probably attach themselves, in consequence of these regulations, to the military profession, infusing into it a greater degree of civilized, moral, and honourable feeling, than, with all its allowed

allowed merit, it has hitherto possessed, and tending to diminish those apprehensions which our ancestors felt so strongly from a large establishment of regular troops, and which ought never to be completely subdued.

An object near to the heart of this benevolent and distinguished statesman, was the abolition of the slave trade; to prepare for which had required the discussions of nearly twenty years. In the month of June, Mr. Fox, after recapitulating in the house of commons the arguments for the resolution it was his object to enforce, concluded with moving, that that house, conceiving the African slave trade to be contrary to the principles of justice, humanity, and sound policy, would with all practicable expedition take effectual measures for abolishing the said trade, at such a period as might be deemed most desirable; which was carried by 114 against 15 members. On this subject he appears to have been determined to redeem his pledge, and to have committed his strength; and it was a subject which well merited his utmost ardour and exertion. His success in this alone would be sufficient to render his remembrance for ever dear to humanity.

The conduct of Mr. Fox, in relation to foreign powers, was of the most frank and dignified description. The representations of America were met by him with every disposition to conciliation, and every arrangement which could give it speedy effect. The aggression of Prussia was resisted with all that firmness which could leave the aggressor no hope of accommodation, without relinquishing the fruits of his insidious hostility, and with all that moderation becoming a great power, conscious of its means of vengeance, and from which dispassionate remonstrance would proceed with more dignity and more impression than the usual irritation of invective. In the debate, however, on the subject of Prussian policy, his instinctive disgust at every thing mean and perfidious in the intercourse of nations, as well as of individuals, advanced far beyond those limits which were observed in his official statements. He did not, indeed, hesitate to stigmatize it, as combining all that was mean in servility with all that was odious in rapacity; adding, that of all the degradations which were capable of being incurred, none could be greater than that of becoming the despised tool of another's injustice. His conduct on this occasion, both in and out of parliament, procured him the political attachment of many who had entertained some apprehension lest his ardent love of peace might lead him to acquiesce in an invasion of his country's honour, which they were now convinced no man was better qualified or disposed to defend.

The renewal of the war with France, under the administration of Mr. Addington, had never been approved by Mr. Fox: but, whatever his sentiments on this point had been, and whether correct or not, in the existing circumstances of the country, on his attaining power, he would have been justified in his efforts for the restoration of tranquillity. To give peace, indeed, to impoverished and bleeding Europe, was the most interesting object to his feelings; and whether he made, or only met, the first attempt for its attainment, it is undoubted that in the true spirit of peace he exerted his efforts to procure it. The urgency of his desires,

sires, however, in this instance permitted him not to make any concessions which ought to have been withheld; and with all the disposition to pacification, he manifested all the tenaciousness of honour. His successors, it cannot be doubted, were well informed of his views, and fully adopted them; yet personal influence, in such cases, is a circumstance of mighty operation, and, whatever advantage might justly be expected to flow from such a principle in any case, might be expected in the present, from the personal influence of Mr. Fox. His good opinion seems to have been an object even with the chief of the French government himself, and to him probably sacrifices might have been permitted to be made, upon that principle, which upon every other might have been refused. But he was "snatched by death from the midst of his work," deplored by contending nations, after too short a career of official service, but which enabled him, however, to prove himself in power what he had ever professed himself to be when banished from it, the friend of peace, freedom, and humanity.

The representation of Westminster being vacated by the death of Mr. Fox, the attention of all men was directed to the question, who would be the proper person for his successor. Mr. Sheridan, notwithstanding the unhappy deviations of his private character, was generally considered as the person on whom this pre-eminent honour would devolve. Arrangements, however, were privately made which precluded this result; and the lord Percy, the eldest son of the duke of Northumberland, was brought forward, as the substitute of the late illustrious representative, with the whole weight of ministerial influence, besides that which was derived from the residence of the family in the city of Westminster, and its general merit from correct and benevolent conduct. Ambitious as Mr. Sheridan was, bred in the same political school as Mr. Fox, the colleague of his power, the partaker of his exclusion, the steady admirer of his talents, and sharer of his fortunes, and deriving from him in return the regard of established friendship, to succeed in the representation of Westminster to his distinguished friend, it was imperative upon his feelings or necessities to yield to the pretensions of a young man, but just of age, and of whom scarcely any thing was known, but that he was the son of a peer, of immense and overwhelming opulence. A great proportion of the electors were chagrined at this absurd and preposterous substitution, and requests were made, after the positive refusal of Mr. Sheridan to become a candidate, on the principle of preventing dissension among the late colleagues of Mr. Fox, to sir Francis Burdett, Mr. Whitbread, and Mr. Curran, which the two latter declined on the same ground with Mr. Sheridan, while the former, with singular and premature despair, considered the state of the country such as to render the exertions of the friends of freedom in parliament of no beneficial effect, without an absolute and radical change.

In the course of October, in consequence of what was deemed by ministers a favourable state of affairs for this purpose, it was determined to appeal to the feelings and opinions of the people. A compromise was nearly effected with Prussia; a rupture had occurred to the negotiation, which was received in town,

town, and throughout the country, in a manner highly flattering to administration, implying that full credit was given to the sincerity of their efforts and the moderation of their demands; and the flames of war were kindling in the north of Europe. A new portion of energy was, at this period, thought capable of being procured to the public councils and measures, by resorting to the elective power of the people, and parliament was accordingly dissolved. On this occasion, from some unexplained motive, lord Percy declined standing for Westminster, for which, however, three candidates soon appeared, sir Samuel Hood, Mr. Sheridan, and Mr. Paull. The fortitude and perseverance which had been exhibited by Mr. Paull, in the house of commons, in his attempt to bring the marquis Wellesley before the tribunal of his country, in which he was frequently impeded by the most indecorous and reprehensible opposition of many members, had procured him an extraordinary portion of popular favour. All that intrigue, ridicule, or scurrility could accomplish, was unfortunately deemed requisite by the advocates of Mr. Sheridan, to stem this tide of popularity; and by the most vulgar abuse, the influence of authority, and the junction of interests between sir S. Hood and Mr. Sheridan, their election was finally carried.

Sir Francis Burdett permitted himself to be nominated for Middlesex, but, consistently with his principles, and displaying an example more worthy of imitation than likely to attract it, refused to be at the least expense, even with respect to the conveyance of voters, a circumstance which alone it may naturally be supposed would have proved fatal to his success. But it must, at the same time, be acknowledged that the sweeping style which this excellent man had on many occasions adopted, with respect to public abuses and remedies, had excited some apprehension of his wanting that discretion, without which zeal against abuses became itself the abuse most of all to be dreaded and deprecated.

Mr. Tierney by merely popular influence was unsuccessful in Southwark. Mr. Roscoe, distinguished as an author for his elegant literature, and as a man for his knowledge of business and respectability of character, came in for Liverpool, notwithstanding his direct avowal against the slave-trade; or rather, indeed, in consequence of that avowal, "No Slavery" being the inscription on his banners: a triumph over the advocates of that abhorred and loathsome traffic, most gratifying to the feelings of humanity, as it occurred in the very centre and citadel of its power. From these and other cases, occurring during this renewal of an important branch of the constitution, it appeared that the representation of the people is at least something more than an empty name. The personal abuse, the boisterous manners, the aristocratical expressions of contempt and contumely, applied to those who could display no pretensions beyond their own individual merits and exertions, which are circumstances, it must be admitted, that have aided in consoling other nations for their want of this popular participation of power, were exhibited in no sparing manner on this occasion, and will be deplored by all the lovers of order and decorum. But good seems unattainable without some mixture of evil, and these inconveniences

will be regarded as nearly absorbed in the impressive and invaluable fact, that, in those recurrences to the people, the people do in reality exercise an extensive and substantial influence, visible amidst all the alleged decay of spirit and prostitution of principle; and which, capable and deserving as it is of being increased, has in no regular and tranquil period of English history ever been exceeded.

We shall conclude our review of the events of the year with a subject which occupied a very considerable proportion of public attention towards the middle of it, and which, from its importance, requires to be very distinctly noticed, the trial of lord viscount Melville. As the result of a minute inquiry into the expenditure of the public money, the house of commons had deliberately resolved to engage in the most solemn and important part of its functions, the exercise of its power of impeachment, against this nobleman. Managers were accordingly appointed by the house. Westminster hall was fitted up in a style worthy of the solemnity, and the house of peers made various arrangements which tended to facilitate the progress of the trial, and rescue the proceedings by impeachment from that censure and disgrace which they had incurred from the case of Mr. Hastings. On the sixth of May, Westminster hall presented a concentration of all that was distinguished by elevated rank or authority, by transcendent genius, high honour, or brilliant services. As a fashionable assemblage, the meeting displayed all that considerate ease and elegant advertence which result from the discipline of polished society; while the forms and features of beauty in its most exquisite attractions both of art and nature, diffused an influence over the scene, precluding dullness without interfering with decorum. As a tribunal of justice it contained one of the sublimest of all possible spectacles, the representatives of a free and mighty people charging with delinquency one of the most eminent servants of the crown, before judges abounding in all the means of human estimation, with no restraint imposed on the freedom of accusation or defence, but what was due at once to order and justice.

The court was opened with the usual forms and solemnities, after which a master in chancery read aloud the charges against his lordship, of which the following is the substance. The first article charges him with receiving, previously to the 10th of January 1786, 10,000*l.* of the public money, and converting the same to his own use, or some other corrupt and illegal purpose, and declaring that he never would reveal the application of that sum, being bound to conceal it, not only by motives of public duty but of private honour and convenience. By the second he was charged with permitting Mr. Alexander Trotter to draw money from the bank for other purposes than those of the navy service, and to place it in the hands of private bankers, under his own name and control. The third article charged, that after the act for regulating the office of treasurer of the navy, large sums of money were at various times paid into the bank, and placed to his lordship's account, and that, during all the time he was in office from 1786, he permitted Mr. Trotter to draw money from the bank and place it at Mr. Coutts's, in his own name, and that, with the privity of his lordship, Mr. Trotter

applied these sums to his own emolument: that Mr. Trotter mixed the public money, so placed in the hands of private bankers, with his own proper money, whereby the public money was used for private emolument, exposed to great risk, and withdrawn from the control of the treasurer of the navy. By the fourth it is charged, that after the tenth of January, 1786, similar connivance was manifested by his lordship, in respect to public money, placed by Mr. Trotter in the hands of Mark Sprott, and others, for the purpose of private emolument. The fifth article charges the same as in the first, only laying the act subsequent to January, 1786. The sixth article charges him with receiving public money from Alexander Trotter, and employing it to his own use, and in participating with Mr. Trotter in the profits made of the public money; and that with a view to conceal the advances made to lord Melville, and the considerations upon which they were made, it was agreed between the parties in 1803, to destroy all vouchers and memorandums which had passed between them. By the seventh article his lordship is charged with having received from Mr. Trotter 22,000*l.* or some other large sum without interest, part of which was advanced from public money, and part from the fund made up of the public money, mixed with that of Mr. Trotter, at Coutts's. By the eighth he is charged with having received 22,000*l.* or some other large sum, for which his lordship had alleged that he was to pay interest, and that, with a view to conceal this advance, the books of accounts were destroyed. The ninth charges, that while Mr. Trotter transacted the business of his lordship, as his agent, he was from time to time, in advance to him in that respect, from ten pounds to 2,000*l.* which sums were taken from the money placed in Mr. Coutts's hands; that his lordship thus derived benefit from the illegal acts of Mr. Trotter, and that Mr. Trotter acted gratuitously for his lordship, in consideration of his lordship's connivance at the application of the public money to Mr. Trotter's emolument, without which connivance Mr. Trotter would not have been able to make these advances. To these charges his lordship pleaded, that he was in no wise guilty, reserving to himself, in the prosecution of his defence, all his privileges as a peer, and all right of exception on points of law: after which a tenth charge was given in, stating that after his appointment to the treasurership, in 1782, between certain specified periods, he had received divers sums of public money, amounting to nearly 27,000*l.* and converted the same to his own use, or some other corrupt purpose, different from that of the naval service, and continued this application after the act for the better regulation of his office; to which lord Melville disclaimed all obligation, from the law and custom of parliament, and the laws of the realm, to give any answer, although, confiding in the goodness of his cause, and the justice of the house, he did not hesitate to answer the same, with all the above reservations and privileges, by stating, that he was not justly so charged.

The charges and answers having been concluded, Mr. Whitbread rose, and addressed the court. In the prosecution of the duty which had devolved upon him, he lamented that the task had not fallen into

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abler hands. In tracing the series of facts by which the charges were to be established, their lordships would unavoidably be detained for a considerable time. The noble lord who was the object of these charges, possessed great talents and experience. From the long possession of great political influence, he had been enabled to establish powerful connections which would cling to him, and support him in the difficulties with which he now had to contend; and the liberal disposition of his lordship, so remote from every idea of sordid avarice, his habits of generosity and hospitality must have strengthened those attachments which originated from his patronage, and preserved the regards of friendship after motives of interest had ceased to operate. These circumstances were favourable to the noble defendant, for whom he consequently could not feel that commiseration which would operate for a defenceless, weak, and forlorn criminal. Even among those who were to decide on his case, there was every reason to think that many were most strongly disposed in his favour, and, in addition to the resource of his own extraordinary talents, he had the assistance of professional gentlemen, eminently distinguished for legal science, and persuasive eloquence. In these circumstances, even a bold man might, without much room for imputation, be deterred from the prosecution of the charges. So far, however, from influencing *him* in the way of intimidation, they rather tended to rouse every particle of native vigour, and kindle every spark of manly energy. Could any thing restrain him in the exertions which he thought due to the importance of the cause, the rank of the accused, and the splendour of the august tribunal before which he was pleading, it was the presence of one, (lord Melville's son) whose conduct and feelings through the whole of the case had excited the most merited admiration: but it was necessary to resist, not only the access of intimidation, but of all those impressions of tenderness which might impede the exercise of momentous public duty.

The attention of his lordship had been directed in early life to political subjects. He was one of the most able and most ardent defenders of lord North in the American war. In 1783, when that brilliant luminary whose recent extinction every one lamented was placed at the head of affairs, Mr. Dundas had a high office assigned him, and from that period till his removal from the councils of his majesty, in consequence of a resolution of the house of commons, laid at the foot of the throne, with the exception of a very short interval, he possessed a high and uninterrupted share of the confidence of his sovereign, united with some of the most elevated offices of the state. In adverting to the close connection between Mr. Pitt and lord Melville, the recollection of their lordships would be inevitably drawn, not so much to the brilliant and fascinating eloquence of that great man, nor to his firmness amidst the dangers of modern alarm and convulsion, nor to other qualities which rendered his loss so particularly to be deplored at this eventful crisis, as to a trait in his character superior to all these, as its mention also was more appropriate to the present occasion, that unsullied purity in the management of the public money, which even malice could never presume to asperse.

Here was a model of unblemished and unsuspected probity, the natural influence of which it must be supposed to have required the strongest tendency to corruption in his colleague to resist; and to have violated the public trust in the very face of this distinguished example of incorruptibility, was a high aggravation of the offence which had been committed.

It appeared from the history of the office of treasurer of the navy from its first establishment, that the salary annexed to it had been as liberal as its duties were light; circumstances particularly impressing the obligation to fidelity in its discharge. That distinguished patriot and orator Mr. Burke, had recommended, and successfully enforced, measures, tending to correct the flagrant abuses prevailing in the public offices, and the salary of the treasurer of the navy was soon afterwards raised to four thousand a year, on the express condition, that he should not employ the public money committed to his care to any purpose of private emolument. The practice had, before this period, been, not legal, but certainly connived at, and, to compensate for its total and complete termination by this bill, the increase of salary was granted. That lord Melville was aware of Mr. Trotter's so employing the public money, which, contrary to an express act of parliament, introduced at the very suggestion of his lordship himself, had been drawn from the bank of England, and placed in the hands of a private banker, was evident, by his lordship's frequently borrowing large sums, sometimes so large as 10,000*l.* from Mr. Trotter, and often without any payment of interest. Whence could such sums be supplied by Mr. Trotter, lately but a clerk in the navy office, with 200*l.* a year, and as paymaster, possessing only a salary of 500*l.*? Whence then, but from the public money, could these loans be derived? And even if the possibility be admitted of his possessing these sums as his own, why should they be expected to be lent without interest? His lordship had indeed denied having any knowledge that the money thus advanced was the money of the public, and even that he knew of Mr. Trotter's application of that money to his own convenience and advantage: but solemnly as the denial was stated, in a letter to the commissioners of naval inquiry, it was contradicted by facts; and what must be thought of a peer of the realm, a member of that assembly, whom the constitution supposed to possess a veracity so pure, that they were permitted to pass judgment, in cases of life and death, upon their honour, averring as a fact what he must inevitably have known not to be such! Their lordships would consider this point most material to their dignity, and the offence contained in the articles of charge, would be considered by this circumstance, as most seriously aggravated.

With respect to the 10,000*l.* applied, from its regular and only legal destination, to purposes which his lordship had declared he would never reveal, if the public money were thus to be diverted to purposes, important perhaps only to the caprice of its employer, at least, the public should have the satisfaction of being informed of its actual direction: instead of giving this satisfaction, to maintain a positive and contumacious silence, was, in a public accountant, an offence of the greatest magnitude, as his primary duty was to clear up the application of

every farthing of the public money committed to his charge. If the defendant's counsel, as had been asserted, were very recently in possession of the receipt for this money, let it be produced before the court, and, if its application were justifiable or excusable by the emergency of circumstances, let his lordship acquire all the benefit to which that fact might entitle him: while the public would ascertain the use which had been made of its property, and meet, not with insolent and determined concealment, but with open disclosure. If the receipt had been since destroyed, the cause of such destruction would be of no equivocal character, and this fact would decidedly illustrate the nature of the transaction.

Attention to the discharge of his duty in the prosecution of this impeachment, had procured the discovery of some of the identical bank notes which had been used in these transactions, which had been traced to the hands of lord Melville's private banker, to whom they had been paid in for his lordship's private account. On the proof of this circumstance, clear and full as it would be, it would undoubtedly be still a matter of some astonishment and hesitation to their lordships, that a man of such high understanding, rank, and station, uninfected with the love of money for its own sake, could be guilty of such culpable dereliction of his public duty, such gross violation of public trust, for his private advantage. The incongruity of the act with the station and character, must be instantly admitted; but unhappily, in the history of mankind, instances still more extraordinary and deplorable, existed; instances of the total oblivion of every thing honourable and distinguished, for the sake of sordid interest and base corruption. And English history exhibited the case of a man, whose intelligent and highly cultivated mind might rank him with any of the sages of ancient or modern times, whose writings abounded with every thing pure and sublime in morality, who, enjoying the highest consideration and occupying the highest office in the kingdom, incurred one of the most extraordinary, the most afflicting, and the most humiliating conviction of bribery and corruption, at their lordships' bar. Instances more recent, and more familiar, had occurred, in which, against every principle of pride, honour, dignity, and rectitude, the highest characters and most elevated stations had been forfeited for mean advantages, which brought with them unmitigated contempt and irrecoverable degradation. The extensive and complicated branches of the public administration of the empire, had given too great temptation to these deviations from fidelity and honour, and the prevalence of the evil had been long observed. Under the auspices of lord St. Vincent, investigations had been instituted into several departments of the state, with a view to the necessary reform. The commission of naval inquiry was the result of his recommendation; and the integrity, the assiduity, the firmness, the penetration, and the wisdom with which those commissioners had discharged their duty, amidst extreme embarrassments, were deserving of every eulogium. By their exertions the crimes now charged on the defendant at their lordships' bar had been discovered. On their report he had felt it his duty to found certain resolutions, which the house of commons had thought

proper to adopt, the result of which was his lordship's impeachment, at the head of the committee for managing which, the person addressing their lordships had had the honour of being appointed. Incompetent as he was to a situation so eminent and arduous, he had at least brought to the discharge of his duty all the zeal and assiduity of which he was master, and all possible devotion to the public good. He was influenced by no motive of hostility to his lordship. He would acknowledge with great willingness his many instances of meritorious conduct in the public service: and even in that department in which he was now charged with gross violation of duty, he had established regulations to promote the security and happiness of British seamen, which entitled him to the gratitude of his country. But abuses would not be permitted by their lordships to be screened by meritorious services, and while they would be ever ready to acknowledge the service, they would also be ever disposed to punish and prevent the abuse.

The first piece of evidence delivered in was the report of the commissioners in 1782, for new modelling the office of treasurer of the navy, and fixing the salary at 4000 *l.* a year, in lieu of all emoluments and perquisites, which was followed by proof of the appointment of lord Melville to the office in August 1782, of his resignation the ensuing April, and his re-appointment in January 1784, after which were read extracts from the journals of the house of commons, which formed the groundwork of the bill for regulating the treasurer's office, of which lord Melville suggested the necessity, and which he presented himself at the bar of the house of lords. From certain books of accounts, left by Mr. Douglass, the first paymaster to lord Melville, two entries were read in evidence, of moneys issued by the exchequer to Mr. Douglass, on account of lord Melville, for naval purposes; 45,000*l.* issued on the 6th of November, 1782, and 50,000*l.* on the 22d of the same month and year. Of the first of these issues, part was advanced in five bank notes of 1,000*l.* each, the numbers and dates of which were specified in evidence by a clerk, who on being shewed a bank note, stated his conviction, that that was one of the number so issued. Turning afterwards to the entry of the 50,000*l.* he proved also that part of that issue was paid in three bank notes of 1,000*l.* each, particularizing their numbers and dates, from his books. A clerk of Messrs. Drummond proved, that one of the notes of the first entry was paid into their house on the 29th of November, 1782, on lord Melville's private account, in discharge of a sum which he owed, and that 400*l.* was given in change.

An admission of a debt due from lord Melville to the lord advocate of Scotland of 1,000*l.* dated 16th of November, 1782, in his lordship's own hand, was then produced, after which it was proved that in the same month and year one of the three bank notes of 1,000*l.* each, which constituted part of the second issue of the public money, above mentioned, was paid to the lord advocate at Messrs. Moffatt and Kensington's in discharge of that debt.

It appeared in evidence, that on the 20th of August 1782, the sum of 10,000*l.* was paid by Mr. Douglas, the paymaster, into a private banking

banking house on lord Melville's account; that between the August of that year, and the April following, Mr. Douglass had drawn 16,000*l.* from the exchequer for the iron chest of the navy office, but that no more than 3,000*l.* had actually been employed, in this interval, according to the returns of the proper clerks, so that there was a deficiency of 13,000*l.*, which, when his lordship left office, on the 10th of April in that year, was acknowledged by him. That four days after he drew out 10,000*l.* additional which he lent to Mr. Atkinson. In consequence of urgency for money in the office, a few weeks after this, his lordship reduced his debt by repeated instalments, to 7,600*l.*, which on the January following, when he had again become treasurer, he increased to 11,600*l.*, and on the death of Mr. Douglass that year, his lordship acknowledged to the executors of that gentleman, that he was indebted to the public 10,800*l.* The act of parliament for the regulation of the office of treasurer was allowed to be read, and enjoined that officer to command the exchequer to pay into the bank the money required for his office, which was to be taken therefrom by drafts of the treasurer, or his deputy, specifying the service and the exact amount; but it appeared by the bank books, and the books of Messrs. Coutts, that the money had been transferred from the bank to the house of Messrs. Coutts, and that the monthly amount of the sums thus transferred, varied considerably, at different periods, till from 20,000*l.* it ascended gradually to half a million.

The refusal of his lordship to answer various questions of the commissioners of naval inquiry was proved, as was also the answer he gave to their question, whether he knew that Mr. Trotter thus violated a positive act, and which was, that he had never given his direct authority to the paymaster so to employ the money, but that at the same time he believed and understood that he did it, and never prohibited him from so doing.

The declaration of lord Melville in the house of commons, that he felt himself bound in honour not to reveal, and that nothing should induce him to reveal, the application of 10,000*l.* of the public money, was proved by Mr. Whitbread, who admitted, however, that the tendency of his lordship's speech was to convince his hearers that the money was not applied to his own private purpose; and his lordship's acknowledgement of the application of a second sum of 10,000*l.* in Scotland, to purposes not naval, was likewise proved by the manager, who also stated his lordship's denial of its application to his own emolument.

The mutual release between lord Melville and Mr. Trotter was then produced, which in February, 1803, bound the parties to cancel all writings, vouchers, and documents, which had existed between them, exonerating each other from all further demands; after which Mr. Trotter was called into the witnesses box, and underwent a very long examination, the substance of which was as follows.

In 1776 he became a clerk in the navy pay-office, with a salary of 50*l.* a year, and afterwards became paymaster to lord Melville, with a salary of 500*l.* On entering on that office he received all the balances from the preceding paymaster, excepting 10,000*l.* which

lord Melville said he should account for, and for which his lordship was accordingly made debtor by him. He had applied to his lordship for permission to transfer a portion of money from the bank to a private banker's, intimating that it would be for the benefit of the public service, and prevent the risque attending the continual bringing of large sums through the streets, and be more convenient for satisfying claims, mentioning, however, nothing about any personal profit from the money so withdrawn; which money, the witness, nevertheless, acknowledged that he had frequently employed in the purchase of government securities, in exchequer and other bills, and also in discounting bills for private individuals of undoubted credit. The amount of this profit was considerable, but the public never incurred from it loss or inconvenience. He had acted as agent for lord Melville, with respect to his salary as treasurer of the navy, and his rents from Scotland, and kept an account current between his lordship and himself, but charged no interest for advances. Another account he kept for his lordship, which he called the chest account, which he regarded as his lordship's account with the public. In this last, the first article was the 10,000*l.* which lord Melville owed the public when Mr. Trotter came into office; and the second, the 10,000*l.* advanced for the instalments on lord Melville's subscription to the loyalty loan. His lordship had never told him in which account to debit the advances which the witness from time to time made him, and he inferred, merely from circumstances, in which account any advance should be inserted. When a request was made by his lordship for any advance, with an intimation that he expected shortly to receive money, the witness concluded it to be wanted for his own private concerns, and entered it in the account current, whereas the peremptory demand for any advance was concluded to be for the public service, and was accordingly inserted in the chest account.

In 1786 he advanced to his lordship a sum for which he took a bond without interest, of 4,000*l.*, derived from a mixed fund, kept at Coutts's, composed partly of the public money, and partly of his own. In 1792 he purchased 2,000*l.* India stock for his lordship from the same fund. In 1797, his lordship having subscribed 10,000*l.* to the loyalty loan, the instalments on this subscription were advanced by the witness, as they became due, from the public money, although his lordship was never informed of this circumstance. 7,000*l.* in the 3 per cents reduced, were also purchased by him for lord Melville, and this, and all similar advances, were entered in the account current, between himself and his lordship, who was charged no interest upon them.

Lord Melville on one occasion expressed his confidence that India stock would rise considerably, on which the witness intimated that considerable balances were on hand of the public money, with which his lordship might purchase to a proportional amount, which lord Melville declined in so decided a manner as to excite some apprehension of his being seriously offended. The witness, being very desirous that the stock should be purchased for lord Melville, observed that he had a friend who could advance the money, on his lordship's security; but finding

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some difficulty in procuring this loan, he advanced to Mr. Lind, 23,000*l.* from the public money, for which his lordship was charged interest, and with which the stock was bought, which eventually yielded a profit of 8,000*l.*

Lord Melville was stated by the witness to be a careful investigator of the public accounts, but the most negligent man living about his own, never looking at any private account that was tendered him. His lordship never made any inquiry about the person who advanced him the loan for the India stock, nor did he ever know it was advanced from the public money till their final settlement took place. Lord Melville never inquired whether the witness was trenching upon the public balances in the advances that were made to him, and the witness had never stated to his lordship that the advances he supplied him with were taken from the public stock, but he could not say what lord Melville's ideas were upon that point; although the only time a draft from the public money had been mentioned to him for his private use, he had rejected it with indignation.

Mr. Trotter admitted, that he was worth 65,000*l.*, and became a lender of money immediately upon being put in possession of the public property. His lordship's balances on quitting office were paid by the sale of 20,000*l.* of his lordship's stock, and of 30,000*l.* India stock, and by 13,000*l.* which he obtained from Messrs. Coutts. With regard to the release, it was an affair of the witness's own suggestion, in which the interest of lord Melville was not at all within his contemplation.

A clerk of the bank produced 35 cancelled bank notes, 32 of which were for 1,000*l.* each, and had been originally issued to lord Melville for the public service, which were proved to have been subsequently paid to Coutts, in satisfaction of two drafts made by lord Melville upon Mr. Trotter, one for 13,000*l.* and the other for 19,000*l.*

The evidence of a solicitor proved that the profits and interests arising from the stock purchased at different periods for lord Melville, by order of Mr. Trotter, amounted to 22,000*l.*

Mr. Mark Sprott stated that among all the speculations in which he had been engaged for Mr. Trotter, he had never heard mentioned the name of lord Melville, and that he never knew Mr. Trotter was, in these cases, making use of the public money, although, from the magnitude of the sums, if he had thought on the subject, he might naturally have supposed this to be the case; and many admissions of Mr. Trotter were corroborated by the testimony of other witnesses, which it is unnecessary to adduce.

The evidence being concluded, it was summed up by sir Samuel Romilly, in a speech of considerable ingenuity and eloquence, but not perfectly equal to the expectation excited by his well-known and extraordinary accomplishments; after which the lord chancellor called on the counsel for the defendant to proceed to his defence, on which Mr. Plomer rose and addressed the court to the following purpose.

He stood in need of all the candour and indulgence which could be shown to his management of a cause, which required, in order to do justice to the noble defendant, to the court, and to the public,

energies far superior to what he possessed. The liberal and enlightened character of their lordship released him from much painful apprehension; as they were totally unsusceptible of those impressions through which the cause he had to advocate, had, by various speeches and publications, been unhappily prejudiced. The report of the naval commissioners had gone abroad and possessed the public mind before the noble lord could be aware of the injury his reputation was sustaining from the publication of the abuses prevailing in his department; and before it could be known whether his lordship had encouraged or employed them for his own benefit, he was dismissed from the presence and confidence of his sovereign, and stripped of all his offices and influence. Inquiries against him were afterwards engaged in with extreme zeal, if not with virulence, and private papers and dealings sought out with careful assiduity, for evidence of criminality; besides which, libels had been circulated against him throughout the kingdom with an industry unprecedented; not merely scattered about to inflame the minds of the people, but carried even to the foot of the throne, and registered in the records of his lordship's accusers, who had even proceeded so far as to introduce an act expressly to facilitate the means of bringing evidence against him. The opening manager had admitted that the sordid principle of avarice was incapable of influencing his lordship's mind; and surely, placed as he was in a situation so calculated to elevate the feelings, filling some of the most important offices of the state, it could not be supposed that for an object which it was impossible he could ever want, he should reduce himself to the degradation which these charges implied. With regard to the first sum alleged to be irregularly applied by his lordship, it arose at a period when there was no written or common law to prevent it; and not only was there no law but no implied, any more than expressed, obligation against it. Indeed, so far from this being the law, it might be asserted that the reverse was so, and so declared by the ancestors and relatives of many of their lordships, and of one of the honourable managers themselves, and that, too, in what was called the sanctuary of liberty. Besides numerous other instances, in which public accountants had acknowledged they had applied the public money to their own advantage, and maintained they had a right to do it, with no loss to the public, lord Holland, when called to account for 450,000*l.* of the public money, maintained, that he could produce this balance when required for the public service, but that, in the mean time, he had a right to employ it for his private emolument. This doctrine was assented to by the earl of Chatham, who perhaps in this particular opinion alone, coincided with his lordship. Even Mr. Grenville, when called upon for the balances of public money in his hands, required two months to pay them in, thus acknowledging their application to other purposes than those for which they were intended. He would contend that the act for the regulation of the office, produced no alteration on this subject, although he admitted, that such application of the public money was a violation of the treasurer's warrant, and that, for any loss to the public, he would have been liable to a civil suit.

suit. But no such loss had ever occurred, and yet lord Melville was summoned to answer criminally for making use of money intrusted to his discretion by the state.

With respect to the 10,000*l.* the application of which lord Melville had declared that he could not reveal, was silence criminal by the humane principles of British justice? Rather than violate the obligations of public duty or private honour, his lordship was content to incur the odium of this concealment, which, however, it would be both absurd and criminal to establish as a basis of guilt. The application of the money was alleged to have been corrupt, but all the evidence of that corruption consisted in the impression made on the mind of the managers, in opposition to which impression it must be stated that the charge had been positively disproved. And if the managers, with all their extraordinary ingenuity and talents, and all their minute researches into the letters, official documents, memorials sent to the defendant, his private accounts and his confidential relations, were unable to trace out a single shilling of the public property, applied to his own use, his innocence of these charges was complete and unassailable.

The transfer of money from one place to another, could never constitute corruption and profligacy, and, with the exception of two small sums, all the money had been sufficiently and satisfactorily accounted for: and even should he be unable to give a clear explanation of these notes, in the immense transactions of four-and-twenty years, nothing could be more illiberal than to infer, from such a trifling failure, the establishment of guilt. The injustice, indeed, of the imputation on his lordship, might be corroborated by the circumstance, that, when informed he had overdrawn his banker, although then, and for ten months after he had public balances in his hands to the amount of 56,000*l.*, he declined to provide for the deficiency, from this source, and remitted for that purpose from his private means in Scotland.

With regard to the note received by a draft from the bank, and which had been paid on discharge of a bill at the bankers in the city, surely this circumstance was not that matter for profound and minute investigation, which in some cases, such for instance as forgery, it might well merit to be considered. And whether he sent this note, or any other he might happen to have in his pocket, at the time, as the amount was not deficient in the passing of the accounts, was not of the smallest signification. The act for keeping the money at the bank the noble lord had carried into execution, in every point of justice and convenience; and as to the construction by implication given to it, that the bank was positively, in all cases, to be the only place of deposit, so that even a demand of three shillings (for such demands actually occurred at the office) should be referred to the bank of England, it was in the highest degree unnatural and absurd.

With respect to the imputation of lord Melville having appointed Mr. Trotter his paymaster, with a view to a system of corruption, which had in fact continued for fourteen years, in which time the purchases of stock formed the principal basis for the imputation, let the criterion be taken from the evidence of Mr. Trotter himself,

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for whose indemnity an express act had been passed, on the condition of his giving a full, fair, and satisfactory evidence; the interpretation of which condition, on the part of the prosecutors, could not be regarded as equivocal. Under these circumstances, however, induced by such interests, and compelled by such terrors, his testimony completely exonerated lord Melville. The whole system and the whole profits were distinctly avowed by Mr. Trotter to be exclusively his own; and his own evidence confirmed the denial of lord Melville, not only declaring his lordship to be wholly innocent, but that himself was the sole offender.

For the various offices to which he was appointed, his lordship received no pay but as treasurer of the navy, voluntarily relinquishing, in the salaries of those places he had gratuitously filled, a total sum of upwards of 34,000*l.*: and the total profits he could by all possibility have derived from the use of the public money, could not have exceeded 23,000*l.* But was it comprehensible that for the consideration of this comparatively trifling benefit, the risque of disgrace should be incurred on a discovery, which was almost inevitable, by a person who, at the same time, declined the most substantial emoluments, which he might have enjoyed without blame? So extraordinary an union of generosity and avarice as this would imply, had never been exhibited in the history of human nature.

With respect to the evidence of Mr. Trotter, it must totally be admitted or rejected. No partial distinction could be made on this subject, and if he was to be fully believed, lord Melville's innocence, on the main points charged against him, was completely established: if he was to be disbelieved, the main pillar of the accusation was removed, and the superstructure must necessarily fall. Mr. Trotter having acted under the general power of the office, was lord Melville to be blamed for his abuse of it? Lord Melville never conceived the money drawn from the bank to Coutts's was for a greater amount than the assignments made out. He conceived no profit was made of it, unless, possibly, a small per centage, such as some houses were known to allow; and as to availing himself of the public money, when the suggestion for doing so, with respect to India stock, was made by Mr, Trotter, he declined it with the strongest indication of displeasure.

The argument against his lordship from the destruction of the vouchers might be entitled to some weight, had these vouchers been of a public nature. But was it to be argued that because two individuals held offices of public responsibility they were never to close their private accounts, and adopt the consequent measures of security and acquittance, usual, if not universal, on these settlements? Besides which, the release had been proved to have been prepared without the knowledge of lord Melville, and without the slightest view to his interest.

It had been stated, that during the administration of lord Melville his private affairs had prospered in proportion as those of the public had declined, yet the opening manager, at least, had acknowledged that the regulations of his lordship, even in the very department of the treasury of the navy, had entitled

him

him to great and eternal gratitude.

On the whole of the evidence for the prosecution it was unquestionable that their lordships could see no proof of criminal or corrupt intention in the noble lord; and any negligence, which might be imputed to him, would appear to have been abundantly punished without any addition, if indeed, on this account, it was competent for their lordships to inflict any.

Their lordships were charged with a duty of the most momentous nature, and were about to decide on the character of a person of exalted rank, at the close of a long life spent in the service of his country. He relied with confidence on the honour of their lordships, who stood in the situation of the highest tribunal which the world contained; the highest of which the human mind could form an idea; excepting, indeed, that tribunal infinitely more high and awful, where they would themselves be judged for the judgment which on the present occasion they delivered.

Mr. Adam followed the same line of argument with Mr. Plomer, and contended particularly, that by the act of 1786, it was required, merely, that the money, when imprested from the exchequer, should be deposited at the bank, in the first instance, afterwards to be drawn, at the discretion of the treasurer, as the public service required.

Several witnesses were called to prove the fact, that lord Melville refrained from receiving the salaries and profits of his office of third secretary of state, until the time of his resignation, amounting in all to 26,000*l.*

The attorney-general then remarked, particularly, on the legal doctrines advanced by Mr. Plomer, which, he observed, were full of error and of danger, and he insisted upon it to be impossible for the most expert casuist and subtle reasoner, to prove that lord Melville had not violated the act of 1786.

The case being thus closed, on both sides, their lordships adjourned to the chamber of parliament, and much time was occupied in discussions relating to the trial, during which the doors were closed to all who were not members of their house. The assistance of the judges, on certain points of law, was resorted to, and, after a variety of animated and protracted debates, on the sixteenth day of the trial their lordships proceeded to deliver their verdict. The lord chancellor interrogated every peer by name, beginning with the junior baron, and ending with the duke of York, (the prince of Wales on this day not being present) with reference to every particular charge, whether Henry lord viscount Melville was guilty of the high crimes and misdemeanors with which he was charged in it, or not guilty; to which the answer, of guilty or not guilty "upon my honour," was given by each member, placing at the same time his right hand upon his breast.

The number of votes on each side was as follows:

charge.	guilty.	not guilty.	majority.
1	16	119	103
2	57	79	23
3	52	83	31
4	none	all	
5	4	131	127
6	48	87	39

charge.

charge.	guilty.	not guilty.	majority.
7	50	85	35
8	14	121	107
9	16	119	103
10	12	123	111

After the casting up of which, the lord chancellor acquainted lord Melville, that he was acquitted of the articles of impeachment exhibited against him by the commons, for high crimes and misdemeanours, and of all things contained therein; upon which their lordships immediately adjourned.

PRICES of STOCKS for 1806.—N. B. The highest and lowest Prices of each STOCK in the course of any Month are set down in that Month.

1806.	Bank Stock.	3 p. ct. red.	3 p. ct. cons.	4 p. ct. cons.	5 p. ct Navy.	5 p. ct. 1797	Long Ann.	Short Ann.	India Stock.	India Bonds.	S. Sea Stock.	Old Ann.	New Ann.	Exch. Bills.	Omn.	Irish 5 p. ct	Imp. 3 p. ct	Lottery Tickets.
Jan.	198½ 191¾	61¼ 58½	61 59¾	79 75¾	92¾ 89¾	100 99⅝	17½ 16¾	2	191 185	3 pr. 2 dis.	63½	59¾	59¼	5 pr. 2 dis.	9¾ 4½ pr.	87½	60 57⅝	19 19 19 17
Feb.	207 196	62 60½	61⅛ 60½	80¼ 79¼	93 91	100⅝ 100⅛	17⅜	2	186½ 184½	4 2 pr.	65½	61⅝ 61	60⅜	5 1 pr.	10 9½ pr.	91¼ 89½	60½	19 19 10 10
March	208 204½	61¼ 61⅛	60½ 59¾	80	92½ 91¾		17½		184½ 179¼	3 pr. 2 dis.	65 59¼		59⅞	5 pr. 2 dis.		90¾	60⅓ 58⅜	19 18 7 0
April	213½ 207½	59⅓ 58¼	60¼ 59½		94⅛ 92½				183 179⅜	2 pr. 2 dis.	64¾		59⅞	3 pr. 3 dis.	3¼ 2¼ pr.	88⅞	61¼	20 5 19 19
May	213 208½	59½	60¼ 59⅞	77½	93⅞ 92⅞	98⅜	17⅛	1½ 1⅜	183¾ 179¾	2 pr. 3 dis.	65¼ 64½	59¼		2 pr. 5 dis.	2¼ pr.	89 88½	58½	21 20 5
June	212 208¾	62¾ 59¾	63⅞ 61¼	80½ 77⅝		98⅞	17¾ 17¼	1⅜	193½ 182½	par. 3 dis.	68¼ 64½	60 59½	61¼	1 pr. 3 dis.	6 2¼ pr.	91 89⅛	60⅞ 58¾	21 15 20 15
July	213 211	64¼ 62½	65 62⅜	81⅝ 79⅞	95¼ 94½		18 17½	1½ 1⅜	193¾ 186	1 2 dis.	67½	63 62	61⅞	3 pr. 3 dis.	7¾ 5½ pr.	92⅜	62¼ 61⅛	
Aug.	216 211½	66¼ 62¼	65¾ 61½	85¼ 80½	99⅜ 94½		19 17¾	1½	193¼ 184	1 2 dis.	68¼ 67¾	63⅞	63⅛	3 pr. 2 dis.	12¾ 4¾ pr.	96¼ 92	64⅝ 61⅝	19 15
Sept.	222½ 218	63¾	63⅝ 62½	81½	95½		18⅛	1½	189 185	par. 2 dis.		63⅜	63⅝ 62½	1 pr. 2 dis.	9 6 pr.		63¼ 62	19 16
Oct.	223 222½	60⅞ 60⅝	63½ 60⅞	78⅝	95⅛ 93½				186½ 183½	3 pr. 2 dis.	66	60⅝		5 pr. 2 dis.	7½ 4 pr.			19 17
Nov.	214¾ 212	61 60⅜	61⅞ 60⅞	79¼ 78¾	96¾ 94½		17⅝ 17¼	1⅛	183¾ 182	5 1 pr.	67⅓ 66¼		61⅞	5 pr. 1 dis.	4¾ 3 pr.	91¼	60 59⅞	22 15 19 14
Dec.	212 209	60¼ 58⅞	60⅝ 58⅞	78½ 76¼	95¾ 94½		17½ 16½	1⅛	182¼ 178½	3 pr. 2 dis.	66¼	60¼ 58⅞		3 pr. 2 dis.	3 ½ pr	90½ 83¼	59½ 57⅝	19 16

PRINCIPAL

OCCURRENCES

In the Year 1806.

PRINCIPAL OCCURRENCES

In the Year 1806.

JANUARY.

Admiralty-office, Jan. 1.

Copy of a letter from lieut. Phillips Cosby Handfield, of his majesty's ship the Egyptienne, to William Marsden, esq. dated in Cawsand Bay, Dec. 29.

Sir,

I HAVE the honour to inclose, for the information of the lords commissioners of the admiralty, a copy of my letter to admiral Cornwallis, respecting the capture of the French frigate La Libre, by his majesty's ships La Loire, capt. F. L. Maitland, and Egyptienne, at present under my command, on the 24th inst. off Rochefort.

I have the honour to be, &c.

P. C. HANDFIELD, lieut.

His majesty's ship Egyptienne, off Ushant, Dec. 28, 1805.

Sir,

I have the honour to acquaint you with the capture of the French frigate La Libre, on the afternoon of the 24th inst. off Rochefort, by his majesty's ships La Loire, capt. F. L. Maitland, and Egyptienne, at present under my command, both coming up at the same time, and joining in the attack.

La Libre, commanded by Monsieur Descorches, capitaine de fregate, mounts 24 eighteen-pounder guns on the main deck, 6 thirty-six-pounder carronades, and 10 nine-pounder guns on the quarter deck and forecastle, with a complement of 280 men. She submitted, after an obstinate defence of half an hour, having 20 men killed and wounded, and received so much damage that all her masts went overboard soon after we took possession. She sailed from Flushing on the 14th of November, in company with a French frigate of 48 guns, from whom she parted in a gale of wind, on the 9th inst., on the coast of Scotland.

I have much pleasure in communicating to you the good conduct of the officers and men of the Egyptienne in this affair, and have only to regret that the inferior force of the enemy did not give room for the full extent of their services. Inclosed is a list of the wounded, and I am sorry to add that one is since dead.

Captain Maitland, of La Loire, has taken charge of the prize, from

whom I parted on the 25th, when he had her in tow.

I have the honour to be, &c.

P. C. HANDFIELD, lieut.

The hon. William Cornwallis, admiral of the red, and commander in chief, &c. &c. &c.

A list of the killed and wounded on board his majesty's ship the Egyptienne, in the action with La Libre French frigate, 24th of Dec. 1805.

None killed.

Wounded—Mr. Thomas Robinson, boatswain, slightly; William Thinn, seaman, dangerously, since dead; John Williams, seaman, badly; John Davis, seaman, slightly; Thomas Lucas, seaman, slightly; JohnStrutton,quarter-master,slightly; James M'Guire, royal marine, badly; and James Evans, royal marine, slightly.

(Signed) P. C. HANDFIELD, lieut.

6. The launch of the Hibernia, of 110 guns, which had been sent ashore for stores, returning to the ship in Cawsand Bay in the evening, it then blowing a violent gale of wind, notwithstanding every exertion was made by the crew, was obliged to bear away; it is supposed to put back to Plymouth, or to endeavour to weather the Menstone, and get into Winbury river. She upset near the land, and all hands, upwards of 36, were swamped. The lieutenant and several men reached the shore, and were saved; but the midshipman and 18 poor fellows were drowned, and their remains washed ashore near Winbury.

CEREMONIAL OF THE PUBLIC FUNERAL OF THE LATE VICE-ADMIRAL HORATIO VISCOUNT NELSON, K. B. &c. &c. &c.

On Wednesday the 8th of Jan. the first part of this grand funeral ceremony, and national tribute of respect to the remains of the immortal NELSON, was carried into execution. At half past 7 A. M. the heralds and the naval officers who were to assist at the procession by water, assembled at the Admiralty, and thence proceeded, about 8, to Greenwich. At 10, they assembled at the governor's house within Greenwich Hospital; where they were met, in the council chamber, by the lord mayor, aldermen, and the committee especially appointed on this occasion by the corporation of London; and proceeded to their several barges.

The hero's body was then carried from the saloon, where it had lain in state, through the Great Hall, out at the eastern portal, round the Royal Charlotte ward, to the north gate, and placed onboard the state barge. The coffin was covered with a velvet pall, adorned with escutcheons. During the procession from the Great Hall to the barge (which was by far the most affecting part of this day's ceremony) a very noble band of music played the dead march in Saul; minute guns were fired; and the bells tolled in unison. The sun, at that particular period, shone delightfully; and the hill in Greenwich Park reverberated the solemn sound between the lofty domes of the royal Hospital.

The procession moved, in the following order, about 12 o'clock:

Captain Wood, harbour master.

Captain Ludlam, harbour master.

Water bailiff.

Rulers of the company of watermen, &c.

Chaplain and staff of the river fencibles.

Boat with drums muffled.

Officer

Officer commanding gun-boats.
Ten gun-boats, two and two.
River fencibles flanking.
Row-boat with officer. Row-boat with officer.

First state barge. Drums—Two trumpets, with their banners, in the steerage—The standard, at the head, borne by capt. sir Francis Laforey, bart. supported by lieuts. W. C. Barker and G. Antram—The guidon, at the door-place, borne by capt. H. W. Bayntun (in the absence of capt. Durham), supported by two lieutenants of the royal navy; all in their full uniform coats, with black waistcoats, breeches, and stockings, and crape round their arms and hats.—Rouge croix and blue mantle pursuivants of arms, in close mourning, with their tabards over their cloaks; and hat-bands and scarves.

Second barge. Four trumpets in the steerage—Heralds of arms, bearing the surcoat, target and sword, helm and crest, and the gauntlet and spurs of the deceased.

The banner of the deceased as a knight of the bath, at the head, borne by capt. Edward Rotheram.

The great banner, with the augmentations, at the door-place, borne by capt. Robert Moorsom, supported by lieuts. D. Keys and N. Tucker.

Third barge, covered with black velvet (the other barges being covered with black cloth), the top adorned with plumes of black feathers; and in the centre, upon four shields of the arms of the deceased, joining in point, a viscount's coronet. Three bannerolls of the family lineage of the deceased, on each side, affixed to the external parts of the barge—Six trumpets, with their banners as before, in the steerage—Six officers of the royal navy, habited as those in the other barges; one to each banneroll; viz. lieut. (now capt.) John Pasco, lieut. (now capt.) John Yule, Thomas Atkinson, master of the Victory, lieut. (now capt.) —— Williams, lieut. George Browne, lieut. James Uzuld Purches.

THE BODY,

covered with a large sheet, and a pall of velvet, adorned with six escutcheons—

Norroy king of arms (in the absence of Clarenceux), bearing, at the head of the body, a viscount's coronet upon a black velvet cushion.

At the head of the barge, the union flag of the united kingdom.

Attendants on the body while at Greenwich, in mourning.

Fourth barge, covered with black cloth. The chief mourner, sir Peter Parker, bart. admiral of the fleet, with his two supporters, admiral Samuel viscount Hood, and admiral William lord Radstock; six assistant mourners; admiral B. Caldwell, sir R. Curtis, knt. and bart. R. R. Bligh, sir C. M. Pole, bart. and vice-admirals C. E. Nugent and C. P. Hamilton; four supporters of the pall; vice-admirals J. H. Whitshed and Thomas Taylor, admiral sir John Orde, bart. (in the absence, by indisposition, of vice-admiral H. Savage, who had been nominated to this station) and rear-admiral E. Harvey; six supporters of the canopy, rear-admirals Thomas Drury, sir W. H. Douglas, bart. T. Wells, sir I. Coffin, bart. J. Aylmer, and W. Domett; and the train-bearer of the chief mourner, the hon. Henry Blackwood, of the Euryalus; all in mourning cloaks, over their respective full uniform coats, black waistcoats, breeches, and stockings, crape round their arms, and crape hat-bands.

Windsor herald (acting for Norroy

roy king of arms), habited as the other officers of arms.

The banner of emblems, at the door-place, borne by capt. T. M. Hardy, of the Victory, supported by lieuts. A. King and G. M. Bligh, of the royal navy, habited as those in the other barges.

Eight row-boats of the harbour marine corps flanking the state barges.

5. His majesty's barge.

6. Barge with the lords commissioners for executing the office of lord high admiral.

7. Barge of the right hon. the lord mayor.

8. Barge with the committee especially appointed by the corporation of London. The only ornaments of this barge were the actual colours of the Victory, borne by seven select seamen from that interesting ship, by the express permission of their captain and with the sanction of the admiralty. These flags and their brave supporters formed a truly interesting part of the procession.

9. Barge with the committee of the corporation for improving the navigation of the river Thames.

Eighteen row-boats of river fencibles, flanking the procession.

10—17. Barges of the companies of drapers, fishmongers, goldsmiths, skinners, merchant taylors, ironmongers, stationers, and apothecaries.

Eight row-boats with harbour marines, flanking the companies' barges.

Captain Wake, harbour master.

Captain Mabb, harbour master.

The funeral barge was rowed by 16 seamen belonging to the Victory; the other barges by picked men from the Greenwich pensioners. They had all their flags hoisted half staff high; and, as the procession passed the Tower, minute guns were there fired. Not a vessel was suffered to disturb the procession. The decks, yards, rigging, and masts of the numerous ships on the river were all crowded with spectators; and the number of ladies was immense.

The beautiful and singularly-constructed city navigation barge, which is usually stationed at Kew for excursions up the river, and which, though as long as a 74 gun ship, draws but two feet of water, was on this occasion for the first time brought through Westminster Bridge, and moored opposite the Temple, for the accommodation of such members of the corporation (in deep mourning, and violet gowns) as were not actually engaged in the procession.

At a quarter before 3, the procession approached Whitehall stairs; the king's, admiralty, lord mayor's, and city barges, immediately drew up in two lines, through which the barge with the body passed. All the oars were advanced, and the trumpets, and other bands, played the dead march in Saul, with other dirgeful strains, with the most impressive effect, the gun-boats firing minute guns all the time. Exactly at 3, the funeral barge began to disembark its charge. At this moment the sunshine disappeared; dark and heavy clouds came on; and instantly succeeded a tremendous hailstorm, which fell till the body was landed, when the hemisphere again cleared.

A procession then commenced from Whitehall stairs to the Admiralty, on foot.

1. Drums and trumpets. 2. Rouge croix pursuivant of arms. 3. Standard.

4 Trum-

4. Trumpet. 5. Blue mantle pursuivant of arms.
6. The guidon. 7. Two trumpets. 8. Rouge dragon pursuivant of arms.
9. Banner of the deceased, as a knight of the bath.
10. Two trumpets. 11. Richmond herald. 12. The great banner.
13. Gauntlet and spurs, borne by York herald.
14. Helm and crest, borne by Somerset herald.
15. Sword and target, borne by Lancaster herald.
16. Surcoat borne by Chester herald. 17. Six trumpets.
18. Norroy king of arms (in the absence of Clarenceux), bearing the coronet on a black velvet cushion.

3 Bannerolls, borne by 3 officers in the R. N. } 2 Supporters, being admirals.

19 THE BODY. covered with a black velvet pall, adorned with escutcheons, under a canopy supported by six admirals.

{ 2 Supporters, being admirals. } 3 Bannerolls, borne by 3 officers in the R. N.

20. Garter principal king of arms (absent by indisposition).

Supporter admiral lord Radstock. } 21. The chief mourner, sir Peter Parker, bart. admiral of the fleet. { Supporter admiral viscount Hood.

22. Train bearer, capt. the hon. Henry Blackwood.
23. The six admirals before mentioned.
24. Windsor herald, acting for Norroy king of arms.
25. The banner of emblems, borne and supported as in the barge.

Every necessary preparation had been made at the Admiralty for receiving the body. The captain's room, in which it was placed, was hung with superfine black cloth for this solemn occasion The room was lighted with tapers, placed in sconces on the sides.

The body remained in the room, guarded by the officers of the house and the undertakers, till the ceremony of its removal to St. Paul's commenced.

On Thursday, the 9th, an hour before day-light, the drums of the different volunteer corps in every part of the metropolis beat to arms. The summons was quickly obeyed; and soon after these troops lined the streets, in two ranks, from St. Paul's Church-yard to the Admiralty. The life guards too were mounted at their post in Hyde Park by day-break, where the carriages of the nobility, &c. with the mourning coaches appointed to form part of the procession, began to be assembled at 8 o'clock, in a line from Hyde Park corner to Cumberland Gate. By 10, about 106 carriages were assembled, of which number near 60 were mourning coaches, principally filled with naval officers; all of which, under the direction of the proper officers, were marshalled in their due order of precedence, and drove into St. James's Park, to be in readiness to fall into the procession on the proper signal. In St. James's Park were drawn up all the regiments of cavalry and infantry quartered within 100 miles of London, who had served in the glorious campaigns in Egypt, after the ever-memorable victory at the Nile; and a detachment of flying artillery, with 12 field-pieces, and their ammunition tumbrils. At half past 10, the procession commenced from the Admiralty, with the march of the several regiments, led by his royal highness the duke of York, attended by his aides-de-camp and staff, in the following order:

A detachment of the 10th light dragoons.

Four companies of light infantry.

The band of the old buffs, playing Rule Britannia, drums muffled.

The 92d and 79th regiments, in sections, commanded by the hon. major-general Charles Hope; their colours honourably shattered in the campaign of Egypt, which word was inscribed upon them, borne in the centre, and hung with crape.

The remaining companies of the 92d, preceded by their national pipes, playing the dead march in Saul.

The 31st and 21st regiments, commanded by the hon. brigadier-general Robert Meade, with their bands playing as before.

The 14th, the 10th, and the 2d, two squadrons of each, commanded by major-general William St. Leger. The trumpets at intervals sounded a solemn dirge, and performed the dead march.

The royal artillery, with 11 field-pieces.

Four companies of grenadiers.

The whole of the military were under the command of general sir David Dundas, K. B. and lieut.-gen. Henry Burrard.

The procession thus moved:

Six marshalmen, on foot, to clear the way.

Messenger of the college of arms, in a mourning cloak, with a badge of the college on his shoulder, his staff tipped with silver, and furled with sarsnet.

Six conductors in mourning cloaks, with black staves headed with viscount coronets.

Forty-eight pensioners from Greenwich Hospital, two and two, in mourning cloaks, with badges of the crests of the deceased on their shoulders, and black staves in their hands.

Forty-eight seamen and marines of his majesty's ship the Victory, two and two, in their ordinary dress, with black neck handkerchiefs and stockings, and crape in their hats.

Watermen of the deceased, in black coats, with their badges.

Drums and fifes. Drum major.

Trumpets. Serjeant trumpeter.

Rouge croix pursuivant of arms (alone in a mourning coach), in close mourning, with his tabard over his cloak, black silk scarf, hatband, and gloves.

The standard, borne in front of a mourning coach, in which were capt. sir F. Laforey, bart. and his two supporters, lieuts. W. C. Barker and G. Antram, of the royal navy, in their full uniform coats, with black cloth waistcoats, breeches, and black stockings, and crape round their arms and hats.

Trumpets.

Blue mantle pursuivant of arms (alone in a mourning coach), habited as rouge croix.

The guidon, borne in front of a mourning coach, in which were capt. E. Rotheram, of the Royal Sovereign, supported by lieuts. J. Bradshaw and T. Errington, of the royal navy, dressed as those who bore and supported the standard.

Servants of the deceased, in mourning, in a mourning coach.

Officers of his majesty's wardrobe, in mourning coaches.

Gentlemen. Esquires.

Deputations from the great commercial companies of London.

Physicians of the deceased in a mourning coach.

Divines in clerical habits.

Chaplains of the deceased, in clerical

rical habits, and secretary of the deceased, in a mourning coach.

Trumpets.

Rouge dragon and portcullis pursuivants of arms (in a mourning coach), habited as before.

The banner of the deceased as a knight of the bath, borne in front of a mourning coach, in which were capt. P. C. Durham, of the Defiance, supported by lieuts. J. U. Purches and J. Poate, of the royal navy, dressed as those who bore and supported the guidon.

Attendants on the body while it lay in state at Greenwich; viz. rev. A. J. Scott, Joseph Whidbey and John Tyson, esqrs. in a mourning coach.

Knights bachelors. Serjeants at law.

Deputy to the knight marshal, on horseback.

Knights of the bath; viz.

Sir Samuel Hood, and sir Thomas Trigge, baronets.

A gentleman usher (in a mourning coach), carrying a carpet and black velvet cushion, whereon the trophies were to be deposited in the church.

William Haslewood, Alexander Davison, and William Marsh, esqrs. as comptroller, treasurer, and steward of the household of the deceased (in a mourning coach), in mourning cloaks, bearing white staves.

Next followed the carriages of the different degrees of nobility and great law officers, who attended to show their respect to the memory of the deceased, beginning with the younger sons of barons, and ending with the following distinguished personages:

Earls of Clancarty, Fife, Darnley, Leicester, Portsmouth, Bristol, Winchelsea, K. G. Moira, Besborough, Westmeath, Buckinghamshire, earl Cowper, earls of Scarborough and Suffolk; earl of Dartmouth, K. G. lord chamberlain of his majesty's household.

Eldest sons of dukes.

Marquises of Douglas, Blandford, and Hartington.

Duke of Montrose, K. T.

Duke of Devonshire, K. G.

Duke of St. Alban's.

Duke of Norfolk, earl marshal.

Earl Camden, K. G. lord president of the council.

Archbishop of Canterbury.

His royal highness the duke of Cambridge.

His R. H. the duke of Sussex.

His R. H. the duke of Cumberland.

His R. H. the duke of Kent.

His R. H. the duke of Clarence.

His royal highness the duke of York, commander in chief.

His royal highness the prince of Wales.

The prince of Wales, and dukes of Clarence, Cambridge, and Sussex, were in coaches and six.

The duke of York and his staff, with the dukes of Kent and Cambridge, and the colonels of volunteers, followed the funeral car on horseback.

Richmond herald (alone in a mourning coach), habited as the other officers of arms.

The great banner, borne in front of a mourning coach, in which were capt. R. Moorsom, and his supporters, lieuts. D. Keys and N. Tucker.

Gauntlet and spurs. Helm and crest. Target and sword. Surcoat. } In front of four mourning coaches, in which were York, Somerset, Lancaster, and Chester heralds, habited as before.

A mourning coach in which the coronet of the deceased, on a black velvet cushion, was borne by

by Norroy king of arms (in the absence of Clarenceux), habited as before, and attended by two gentlemen ushers.

The six lieutenants of the Victory, habited as before, who were to bear the bannerolls, in two mourning coaches.

The six admirals, in like habits, who were to bear the canopy, in two mourning coaches.

The four admirals, in like habits, to support the pall, in a mourning coach.

THE BODY,

placed on a funeral car, or open hearse, decorated with a carved imitation of the head and stern of his majesty's ship the Victory, surrounded with escutcheons of the arms of the deceased, and adorned with appropriate mottos and emblematical devices; under an elevated canopy, in the form of the upper part of an antient sarcophagus, with six sable plumes, and the coronet of a viscount in the centre, supported by four columns, representing palm trees, with wreaths of natural laurel and cypress entwining the shafts; the whole upon a four-wheeled carriage, drawn by six led horses, the caparisons adorned with armorial escutcheons.

The head of the car, towards the horses, was ornamented with a figure of Fame. The stern, carved and painted in the naval style, with the word "Victory," in yellow raised letters on the lanthorn over the poop. Between the escutcheons were inscribed the words "Trinidad" and "Bucentaur." The coffin, placed on the quarter-deck, with its head towards the stern, with an English jack pendant over the poop, and lowered half staff. The corners and sides of the canopy were decorated with black ostrich feathers, and festooned with black velvet, richly fringed, immediately above which, in the front, was inscribed in gold the word "Nile," at one end. On one side the following motto—"Hoste devicto, requievit;" behind, the word "Trafalgar;" and on the other side the motto—"Palmam qui meruit ferat." The black velvet pall, adorned with six escutcheons of the arms of the deceased, and the six bannerolls of the family lineage, were removed from the hearse, in order to afford an unobstructed view of the coffin containing the remains of the gallant admiral.

Garter principal king of arms, in his official habit, with his sceptre (in his carriage, his servants being in full mourning), attended by two gentlemen ushers.

The chief mourner, in a mourning coach, with his two supporters, and his train-bearer; all in mourning cloaks.

Six assistant mourners (in two mourning coaches), in mourning cloaks as before.

Windsor herald, acting for Norroy king of arms (in a mourning coach), habited as the other officers of arms, and attended by two gentlemen ushers.

The banner of emblems, in front of a mourning coach, in which were capts. T. M. Hardy and H. W. Bayntun, supported by lieuts. A. King and G. M. Bligh, of the royal navy.

Relations of the deceased in mourning coaches.

Officers of the navy and army, according to their respective ranks; the seniors nearest the body:

The whole in 50 mourning coaches.

The private chariot of the deceased lord, empty—the blinds drawn up

up—the coachman and footman in deep mourning, with bouquets of cypress.

The whole moved on, in solemn pace, through the Strand to Temple Bar gate, where the lord mayor of London waited to receive the procession, accompanied by the aldermen, recorder, sheriffs, and the gentlemen selected from the committee appointed by the corporation for arranging their attendance at the funeral.

On the arrival of the procession at St. Paul's, the cavalry marched off to their barracks; the Scotch regiments drew up in the area fronting the church, and marched in at the western gate.

The 48 Greenwich pensioners, with the 48 seamen and marines from the Victory, entering the western gate, ascended the steps, and divided in a line on each side under the great western portico.

On the arrival of the body and the funeral car at the great entrance, it was drawn up without the western gate. The body was taken from the car, covered with the pall, and borne by 12 men; and was received within the gate by the supporters and pall-bearers, who had previously alighted for its reception.

The remainder of the procession entered the church, and divided on either side according to their ranks; those who had proceeded first remaining nearest the door.

Immediately after the great banner, near the entrance of the church, the dean and chapter fell into the procession, attended by the minor canons and vicars choral, &c. of St. Paul's cathedral, assisted by the priests and gentlemen of his majesty's chapels royal, and the minor canons and vicars choral of the collegiate church of St. Peter Westminster, and others, who sang the first part of the burial service, set to music by Dr. Croft:

"I am the resurrection and the life, saith the Lord: he that believeth in me, though he were dead, yet shall he live. And whosoever liveth and believeth in me, shall never die.—I know that my Redeemer liveth, and that he shall stand at the latter day upon the earth. And though after my skin, worms destroy this body; yet in my flesh shall I see God: whom I shall see for myself, and mine eyes shall behold, and not another.—We brought nothing into this world, and it is certain we can carry nothing out. The Lord gave, and the Lord hath taken away; blessed be the name of the Lord."

The body was borne into the church and choir, preceded by Richmond herald; the great banner borne by capt. Moorsom; and the gauntlet and spurs, helm and crest, target and sword, and surcoat, by four heralds as before.

The coronet by Norroy king of arms.

THE BODY,

with the supporters of the pall and canopy.

Garter king of arms.

Chief mourner, and assistant mourners.

Windsor herald.

The banner of emblems.

Relations of the deceased; viz.

Horatio Nelson, esq. commonly called viscount Merton, nephew; G. Matcham, esq. nephew; G. Matcham, esq. brother-in-law; William earl Nelson, sole brother and heir; T. Bolton, esq. nephew; T. Bolton, esq. brother-in-law.

Rev. R. Rolfe, T. T. Berney, esq., hon. H. Walpole, hon. G. Walpole, cousins.

The remainder of the procession followed in the order as before marshalled.

The

The officers of arms, and the bearers of the banners, with their supporters, entered the choir, and stood within, near the door; and all above and including the rank of knights bachelors, as well as the staff officers, and the naval officers who attended the procession, had seats assigned to them in the choir.

The chief mourner, his two supporters, and train bearer, were seated on chairs near the body, on the side next the altar; and the six assistant mourners, four supporters of the pall, and six supporters of the canopy, on stools on each side.

The relations also near them in the choir; and Garter was seated near the chief mourner.

The prince of Wales and his six royal brothers were at the east end of the prebendal stalls, on the south side of the choir.

The duchess of York was also seated in the choir; her royal highness was conducted by the bishop of Lincoln to her seat.

The officers of the navy, and the staff officers commanding the troops, were seated near the altar.

The lord mayor, aldermen, recorder, and sheriffs, were in their accustomed seats (the prebendal stalls), at the east end of the north side of the choir; their ladies in the closets over them; and the deputation of the common council in the seats immediately under the aldermen.

The body, when placed in the choir, was not covered with the pall, nor the canopy borne over it; the rule in that respect being dispensed with, for the reason before mentioned. The bannerolls were borne on each side the body.

The carpet and cushion (on which the trophies were afterwards to be deposited) were laid, by the gentleman usher who carried them, on a table placed near the grave, which was under the centre of the dome, and behind the place which was to be there occupied by the chief mourner.

The coronet and cushion, borne by Norroy king of arms (in the absence of Clarenceux), was laid on the body.

The gentlemen of the three choirs ascended into a gallery on the east side of the organ, from which the evening service was performed, Psalms xxxix. and xc. The first lesson, Job xiv. to the end of the 15th verse, read by the bishop of Chester. *Magnificat* (set to music by Mr. Atwood). Second lesson, 1 Cor. xv. 20. read by the rev. Dr. Moss. *Nunc dimittis;* and in the proper place, &c. the following anthem, Psalm xxxix. (set to music by Dr. Greene):

Chorus.—"Lord, let me know my end, and the number of my days; that I may be certified how long I have to live. Thou hast made my days as it were a span long; and mine age is nothing in respect to Thee, and verily every man living is altogether vanity."

Duett, Trebles.—"For man walketh in a vain shadow, and disquieteth himself in vain; he heapeth up riches, and cannot tell who shall gather them."

Chorus.—"And now, Lord, what is my hope? truly my hope is even in Thee.—Hear my prayer, O Lord, and with thine ear consider my calling; hold not thy peace at my tears.—O spare me a little, that I may recover my strength; before I go hence, and be no more seen."

At the conclusion of the service in the choir, a procession was made thence to the grave, with the banners and bannerolls as before;

during which was performed on the organ a grand solemn dirge, composed and played by Mr. Attwood; the officers of arms preceded with the trophies; the gentlemen of the choir of St. Paul's accompanying the body; the gentlemen of the chapels Royal and Westminster stationing themselves in a gallery on the west side of the organ; the body borne and attended as before.

The chief mourner, with his supporters, and near them Garter, had seats at the east end of the grave; the train bearer stood behind the chief mourner, and near him the relations of the deceased. At the opposite end sat the right reverend the lord bishop of Lincoln, dean of the cathedral, attended by the three canons residentiaries. A supporter of the pall stood at each angle; the assistant mourners, supporters of the canopy, and bearers of the bannerolls, on either side. On the right of the dean were the chaplains; on the left the officers of the household of the deceased. The great banner was borne on the north, the banner of the deceased, as a knight of the bath, on the south of the grave; the standard and guidon behind the dean; the banner of emblems behind the chief mourner; the trophies in the angles.

The royal dukes, foreign ambassadors, and naval officers, had seats reserved for them in the front of the south side of the dome.

The lord mayor, aldermen, and the whole of the common council, were seated in the front of the north side of the dome.

At the grave was sung.

"Man that is born of a woman," &c.

The remainder of the burial service was then read by the dean; and after the first collect an anthem was sung, selected from Handel's grand funeral anthem:

Verse.—"His body is buried in peace."

Chorus.—"But his name liveth evermore."

Upon a signal given from St. Paul's that the body was deposited, the troops being drawn up in Moorfields, the artillery fired their guns, and the infantry gave volleys, by corps, three times repeated.

The service of the interment being over, Garter proclaimed the style; and the comptroller, treasurer, and steward of the deceased, breaking their staves, gave the pieces to Garter, who threw them into the grave.

The interment thus ended, the standard, banners, bannerolls, and trophies, were deposited on the table behind the chief mourner; and the procession, arranged by the officers of arms, returned.

During the whole of this solemn ceremony, the greatest order prevailed throughout the metropolis; and, as the remains of the much-lamented hero proceeded along, every possible testimony of sorrow and of respect was manifested by an immense concourse of spectators of all ranks. From the Admiralty to the cathedral, the streets were lined with the several volunteer corps of London and Westminster, the militia, and many other military bodies, both cavalry and infantry.

FROM THE LONDON GAZETTE.

January 14.

Admiralty-office, Jan. 14.

Copies of letters and inclosures from vice-admiral Dacres, commander in chief at Jamaica, to Wm. Marsden, esq.

His

His majesty's sloop Port Mahon, Sept. 30, Trinidad de Cuba N. E. by N. distant 26 leagues.

Sir,

His majesty's sloop Port Mahon, under my command, this morning crossed upon a schooner, laying-to; but, on our near approach, made sail from us. I have the honour of informing you she was captured, after a chase of two hours, and proves to be his catholic majesty's packet El Galgo, commanded by lieut. Ignacio Guosquez, with 30 men, pierced for 14 guns, but only four brass swivels mounted. She is a very fine vessel, coppered and copper-fastened, well found, and sails fast; left Cadiz on the 9th of August, had delivered dispatches at Camana, and was bound, with others, to Trinidad de Cuba and Vera Cruz, which were thrown overboard.

I have, &c.

(Signed) SAM. CHAMBERS.

James R. Dacres, esq. commander in chief, &c.

Port-royal, Oct. 31.

Sir,

I am to request you to acquaint the lords commissioners of the admiralty, that I have received a letter from capt. Macdonnell, of the Franchise, informing me of the boats of that ship having captured the General Ferrand, felucca privateer, of one six-pounder, two four-pounder swivels, musquetry, &c. belonging to Santo Domingo. She had sailed from St. Jago four days, and had taken nothing.

I am, &c.

J. R. DACRES.

Shark, Port-royal, Oct. 31, 1805.

Sir,

Herewith you will receive, for the information of the lords commissioners of the admiralty, the copy of a letter I have received from capt. Wright, of the Swift, inclosing a letter from lieut. Smith, of that sloop, acquainting him with the success of an enterprise conducted with great bravery, and which reflects great credit on the party engaged in it, particularly on Mr. Bowler, who has not been two years at sea. I am, &c.

(Signed) J. R. DACRES.

H. M. sloop Swift, Port-royal, Oct. 27.

Sir,

In consequence of information I received while on my station at Honduras, that a schooner guarda costa had taken several vessels trading to that settlement, and, if not captured, was likely to do much more mischief, I was determined to detach Mr. James Smith, second-lieutenant of the ship I command, with a party of men, to see what could be effected; and I take the honour to refer you to a perusal of his letter to me, for an account of his success, which, for execution and bravery, has been acknowledged to bid fair for protection and countenance. La Caridad Perfecta is a very fine new vessel, and, in my opinion, every way fit for his majesty's service.

I remain, sir, &c.

(Signed) J. WRIGHT.

To rear-admiral Dacres, &c.

Port-royal.

Marianne schooner, Balite, Sept. 4, 1805.

Sir,

I b g leave to acquaint you, that, in pursuance of your orders, I proceeded, with the schooner you placed under my command, to the southward; and, while cruizing on that station, and off the island of

Bonacca,

Bonacca, received information from the Caribbean fishermen, that the guarda costa was at anchor under the batteries of Truxillo, and that she had lately captured and carried into that port the schooner Admiral Duckworth, of Jamaica, with another vessel, name unknown, from Honduras. I therefore maturely considered the incalculable injury such a vessel might cause to the settlement, and conceiving it a duty incumbent on myself to prevent, if possible, further depredations, summoned the people aft, and, on my stating the case to them, they very readily volunteered to make an attempt to cut her out. Accordingly, on the evening of the 13th ultimo, I stood over, under cover of the night, for the harbour of Truxillo, and got well into the bay without being discovered, when I manned two small boats, with six men in each, under charge of Mr. Walker, boatswain, in the one, and Mr. Bowler, midshipman, in the other, with directions to pull in close along shore, and examine if our information was correct, standing in at the same time, with the schooner, to cover the boats if occasion required. Shortly after we got in sight of the vessel we were in pursuit of, which was immediately boarded with great bravery by the boat's crew under charge of Mr. Bowler (the other from pulling heavy, not being able to get up); and, after some resistance from the people on deck, they very gallantly got possession of her, the capt. and others jumping overboard. The noise this contest occasioned alarmed the forts, which opened on us a very heavy fire. The cables were then cut, and sail made, the forts keeping a continual fire on us till out of gun-shot, which was returned from both vessels. She proves to be La Caridad Perfecta, schooner-rigged, copper-bottomed, and pierced for sixteen guns, but mounted only with twelve, and had on board but fifteen men, the remainder of her complement being on shore at the time. I am happy to add, that in performing this service no person has been hurt.

(Signed) JAMES SMITH.

To John Wright, esq. commanding his majesty's ship Swift, Honduras.

His majesty's ship Wolf, at sea, Oct. 20.

Sir,

I have to acquaint you, that yesterday evening, in consequence of information I received from the shore, I gave chase to two sail in the offing, and soon came up with a ship, which proved to be an American, captured a few minutes before by a Spanish privateer then standing in shore: I dropt a boat to take possession of her, and stood after the privateer, but it falling calm shortly after, I dispatched two boats in chase: they came up with, and boarded her at the very moment she struck on a reef near the shore, and about ten miles to the leeward off Falmouth; every effort proved ineffectual to get her off, and she went to pieces soon after. She proved to be La Preciosa, a new cutter, out six days from St. Jago de Cuba, commanded by Garlana Garsa, carrying three small guns and 23 men, five of whom made their escape in a canoe previous to her being boarded: had made no other captures.

(Signed) G. C. M'KENZIE.

To rear-admiral Dacres, Jamaica.

FEBRUARY.

FEBRUARY.

Admiralty-office, Feb. 1.

Copy of a letter from the right hon. lord Keith, K. B. admiral of the white, &c. to W. Marsden, esq. dated on board the Edgar, off Ramsgate, Jan. 30.

Sir,

I transmit, for their lordships' information, a copy of a letter from lieut. Smithies, commanding the Bruiser gun-vessel, to vice-admiral Holloway, reporting the capture of the French lugger privateer, L'Impromptu, one of the enemy's cruisers, by which the trade in the narrow part of the channel has of late been much annoyed.

I have, &c.

KEITH.

His majesty's brig Bruiser, Downs, Jan. 30.

Sir,

I have honour to acquaint you, for the information of the commander in chief, that outstanding close in with the high land, near Folkstone, yesterday morning about two o'clock (being hazy) a lugger was observed hovering about with an intent (as I have been since informed) to board; but on finding her mistake, and his majesty's brig bearing up, made all sail; she was captured after a chase of seven hours, during which they hove most of their gun-carriages, stores, and provisions overboard. She proves to be L'Impromptu French privateer, of Boulogne, last from Calais, commanded by Jaques Sauvage, with a complement of fifty men and fifteen guns, two only of which were mounted when captured; and she is a remarkably fine vessel, and being, I am informed, the best sailer from that port, might have been a great annoyance to the trade. Last week she captured two brigs, the Mary of Pool, laden with coals, and the Caroline of Yarmouth, laden with barley.

I am, &c.

T. SMITHIES, lieut.

P. S. On coming up with the chase, the Combatant, capt. Kerr, joined company, and took out part of the prisoners.

John Holloway, esq. rear-admiral of the red, &c.

Copy of a letter from vice-admiral lord Collingwood, commander in chief of his majesty's ships and vessels in the Mediterranean, to William Marsden, esq. dated on board his majesty's ship Queen, off Cadiz, the 8th January, 1806.

Sir,

I inclose for the information of the lords commissioners of the admiralty, a return of vessels captured and detained by his majesty's ships and vessels under my command, to the 31st ult.

I am, &c.

COLLINGWOOD.

A report of vessels captured and detained by the ships and vessels on the Mediterranean station, under the command of the right hon. Cuthbert lord Collingwood, vice-admiral of the blue, and commander in chief, between the 19th day of November, 1805, and the 31st day of December following:—

Spanish settee St. Christo del Trao, of 14 men, and 40 tons, from La Guyra, bound to Cadiz, laden with indigo, cocoa, &c. captured by the Donegal, &c. November 19, 1805.

Ragusan ship Nemesis, of 4 guns, 18 men, and 350 tons, from the Isle of France, bound to Leghorn, laden with spice, indigo, &c.; detained

tained by the Thunderer, &c. November, 25, 1805.

Spanish settee L'Avion, of 1 gun, 18 men, and 54 tons, from Cadiz, bound to La Guyra, laden with Spanish wine, &c.; captured by the Martin and Bittern, December 4, 1805.

Spanish brig El Baptista, 2 guns, 19 men, from Cadiz, bound to La Guyra, laden with Spanish wine, &c.; captured by the Neptune, &c. December 5, 1805.

American ship Wells, of 11 men, and 205 tons, from Salem, bound to Marseilles, laden with sugar and coffee; detained by the Naiad, September 10, 1805.

COLLINGWOOD.

Admiralty-office, Feb. 11.

Copy of a letter from capt. P. V. B. Broke to admiral the right hon. lord Gardner.

Druid, at sea, Feb. 2.

I have the pleasure to inform you, that his majesty's ship under my command captured this morning, after a chase of 90 miles, the Prince Murat French ship privateer, of 18 guns, six pounders, and 127 men, commanded by Monsieur Rine Murin, out five days from L'Orient, and had made no captures: she is a coppered ship, and a fast sailer. I have sent her to Plymouth.

P. V. C. BROKE.

Right hon. adm. lord Gardner, adm. of the white, &c.

February 14.

NEW ADMINISTRATION.

DEPARTMENTS.	NEW ADMINISTRATION.	OLD ADMINISTRATION.
Treasury - - - - -	Lord Grenville,	Mr. Pitt.
	Lord H. Petty,	Lord Louvaine.
	Lord Althorpe,	Lord Fitzharris.
	Mr. Wickham,	Mr. Long.
	Mr. Courtney,	Marq. Blandford.
Secretaries - - - -	Mr. Vansittart,	Mr. Huskisson.
	Mr. King,	Mr. Bourne.
President of the council,	Earl Fitzwilliam,	Earl Camden.
Lord privy seal,	Viscount Sidmouth,	Earl Westmoreland.
Sec. of state for foreign department,	Mr. Fox,	Lord Mulgrave.
Sec. of state for home department,	Earl Spencer,	Lord Hawkesbury.
Sec. of state for colonial department,	Mr. Windham,	Lord Castlereagh.
Lord chancellor, - - -	Lord Erskine,	Lord Eldon.
Chancellor of the exchequer,	Lord H. Petty,	Mr. Pitt.
Admiralty - - - -	Mr. Grey,	Lord Barham.
	Sir Philip Stephens,	Admiral Gambier.
	Admiral Markham,	Sir Philip Stephens.
	Sir C. Pole,	Admiral Patten.
	Sir H. B. Neale,	Sir E. Nepean.
	Lord W. Russell,	Mr. Dickenson, jun.
	Lord Kensington,	Lord Garlies.

Master general of ordnance,	Earl of Moira,	Earl of Chatham.
Secretary at war, - - -	Gen. Fitzpatrick,	Mr. W. Dundas.
Treasurer of the navy, -	Mr. Sheridan,	Mr. Canning.
Lord lieut. of Ireland -	Duke of Bedford,	Earl of Hardwicke.
Secretary, - - - - -	Mr. Elliot,	Mr. Long.
Board of control, - -	Lord Minto,	Lord Castlereagh,
	Lord Spencer,	Lord Hawkesbury.
	Mr. Windham,	Lord Mulgrave.
	Mr. Fox,	Mr. Pitt.
	Lord Grenville,	Lord Glenbervie.
	Lord H. Petty,	Mr. Wallace.
	Lord Morpeth,	Lord Dunlo.
	Mr. H. Addington,	
	Mr. Sullivan,	
Joint postmasters,	Earl of Buckinghamshire,	Duke of Montrose.
	Earl of Carysfort,	Lord C. Spencer.
President of board of trade,	Lord Auckland,	Duke of Montrose.
Vice-president ditto, - -	Earl Temple,	Mr. Rose.
Joint paymasters, - -	Earl Temple,	Mr. Rose.
	Lord J. Townshend,	Lord C. Somerset.
Master of the horse, - -	Earl of Carnarvon,	Marq. Hertford.
Master of the mint, - -	Lord C. Spencer,	Earl Bathurst.
Master of the stag-hounds,	Earl of Albemarle,	Earl Sandwich.
Treasurer of the household,	Lord Ossulston,	Visc. Stopford.
Chancellor of the D. of Lancaster,	Earl of Derby,	Lord Harrowby.
Capt. of band of gent. pensioners,	Lord St. John,	Visc. Falmouth.
Surveyor of crown lands,	Lord Rt. Spencer,	Lord Glenbervie.
Judge advocate, - - -	Mr. Bond,	Sir C. Morgan.
Attorney general, - - -	Mr. Pigott,	Mr. Percival.
Solicitor general, - - -	Mr. Romilly,	Sir V. Gibbs.
Chancellor of the D. of Cornwall,	Mr. Adam,	Lord Erskine.
Attorney general to his R. H. the P. of Wales,	Mr. Garrow,	Mr. Adam.

Lord Ellenborough has a seat in the Cabinet.

Admiralty-office, Feb. 18.

Copies of Letters transmitted by vice-admiral Dacres, commander in chief of his majesty's ships and vessels at Jamaica, to Wm. Marsden, esq.

His majesty's ship Bacchante, at sea, 18th of November, 1805.

Sir,

I have the honour of informing you, that in cruising off the North-east end, to protect the ships bound to this side of the island, we discovered a schooner under the land. Knowing our misfortune of not sailing well, I stood off, and was chased by her until she found her mistake, on which I tacked and made all sail; and, after a chase of seven hours, we ran alongside

and

and boarded the Spanish privateer schooner Les Dos Azares, capt. Ealletam Garcia, of 36 men, out four days from Cuba, and had taken nothing, armed with two three-pounders, and in all respects perfectly prepared for boarding. Three of the privateer's crew are badly wounded.

I have the honour to be, &c.

(Signed) RANDALL MACDONNELL.

To James Richard Dacres, esq. rear-admiral of the red, commander in chief.

His majesty's sloop Renard, Port-royal harbour, Nov. 22, 1805.

Sir,

I have the pleasure to acquaint you with the capture of the French privateer schooner Beliona, on the 11th ult. by this ship, after a long chase and some firing, at the North side of St. Domingo. She has four carriage guns and 50 men; was seven days from Barracona, had taken one American brig. She is only four months old, and is considered the fastest sailer out of Cuba.

I have the honour to be, &c,

JEREMIAH COGHLAN.

To J. R. Dacres, esq. rear-admiral of the red, &c.

PUBLIC FUNERAL OF THE LATE RIGHT HON. WILLIAM PITT,

Saturday, Feb. 22.

This morning, at 10, the nobility and gentry, in mourning, without weepers, and with mourning swords; the knights of the several orders wearing their respective collars; and the naval and military officers in their full uniforms, with crape round their arms and hats, assembled in the rooms prepared for their reception near the painted chamber; and about one, the procession, being marshalled, proceeded as follows:

High constable of Westminster; messenger of the college of arms; six conductors; forty-seven poor men, two and two, in black serge cloaks, with badges of the crests of the deceased on the shoulder, black caps on their heads, and long black staves in their hands; drums and fifes; drum major; trumpets; serjeant trumpeter; rouge croix and blue mantle pursuivants of arms, in close mourning, with their tabards over their cloaks.

The standard, borne by lieut.-gen. Lennox, supported by right hon. T. Steele and right hon. C. Long.—Trumpets.—Rouge dragon and portcullis pursuivants of arms.

The guidon, borne by maj.-gen. Hope, supported by hon. R. Ryder and hon. R. Dundas.—Servants of the relations of the deceased.—Officers of the wardrobe.

Gentlemen.—Esquires.—146 members of the house of commons.—Physicians.—Physician of the deceased, Sir W. Farquhar.—Divines in clerical habits.—Secretary of the deceased, W. Marshall, esq.

Trumpets.—Richmond herald.—The banner of the crest of Pitt, borne by right hon. T. Cholmondeley, supported by W. Wilberforce and W. M. Pitt, esqrs.—Officers who attended the body while it lay in state.—Knights bachelors.—4 Aldermen of London.—4 Knights of the bath.—13 Baronets.—A gentleman usher (with two assistants) carrying a silk carpet and a black velvet cushion, whereon the trophies were deposited in the church.

Comptroller of the household of the deceased, J. Smith, esq.; treasurer,

surer, W. D. Adams, esq.; and steward, W. Johnson, esq.

Younger sons of barons.—Sir T. M. Sutton, one of the barons of the exchequer.—Lord mayor of London.—7 Younger sons of earls.—Speaker of the House of Commons.—21 Barons.—9 Bishops.—3 Elder sons of earls.—6 Viscounts.—2 Younger sons of dukes.—27 Earls.—Earl of Aylesford, lord steward.—Earl of Dartmouth, lord chamberlain.—Marquises of Worcester, Thomond, and Bath.—Duke of Portland (absent from indisposition).—Viscount Sidmouth, lord privy seal.—Dukes of Cambridge, Cumberland, and York.—York herald.

Great banner, borne by hon. H. Lascelles, supported by R. W. Cartwright and E. Bootle, esqrs.

Helm and crest; sword and targe; surcoat; borne by Somerset, Lancaster, and Chester heralds.

Clarenceux king of arms, supported by two gentlemen ushers.

THE BODY,

covered with a black velvet pall, adorned with eight escutcheons of the arms of the deceased.

Four supporters of the pall, the archbishop of Canterbury, and dukes of Beaufort, Rutland, and Montrose.

The four bannerolls of the family lineage, carried by the master of the rolls, Sir W. Scott, right hon. W. Dundas, and right hon. Sir E. Nepean.

Garter principal king of arms, supported by two gentlemen ushers.

Chief mourner, earl of Chatham, with his train-bearer, Sir W. Bellingham, bart. supported by the earl of Westmoreland and earl Camden.

Six assistant mourners, marquises of Abercorn and Wellesley, earl of Euston, earl Bathurst, viscount Lowther, and lord Grenville.

Norroy king of arms, supported by two gentlemen ushers.

Banner of emblems, borne by hon. Spencer Percival, supported by right hon. George Canning and right hon. George Rose.

Relations and near connexions of the deceased.

TRIAL OF GOVERNOR PICTON.

COURT OF KING'S BENCH,

Monday, Feb. 24.

A few minutes after nine o'clock this morning, Mr. Harrison opened the pleadings in this case, by stating that it was a criminal prosecution against the defendant, charging him with having, in the month of December 1801, inflicted the torture upon Louisa Calderon, one of his majesty's subjects, in the island of Trinidad.

Mr. Garrow rose to address the jury, and said, that the duty had devolved to him, by the removal of a learned person from this court to an exalted station, which deprived them of the advantage of his greater abilities, to lay before them a statement of the singular and horrid transaction which was the subject of this prosecution; and, although he should acquit himself zealously of the obligation imposed upon him, to bring to light and condign punishment an offence so flagrant as that charged upon the defendant, yet much more happy would he be, to find that there was no ground upon which the charge could be supported, and that the British character was not stained by the adoption of so cruel a measure as that which was alleged in the prosecution. The defendant was the representative of our sovereign, and the governor of Trinidad,

nidad, one of the Spanish dependencies which had surrendered to the British arms under the brave sir Ralph Abercrombie. The benignant code of laws which had prevailed in the island, were, unhappily, cruelly innovated under his administration. However strange to Englishmen it might appear, in some of the West India colonies young women frequently became mothers at the age of twelve years; and Louisa Calderon, of whom mention had been made, was living with a person of the name of Pedro Ruiz, as his mistress, in the year 1801, being at that time only ten or eleven years of age, when, in the casual absence of this person, another man, named Carlos Gonsales, with whom she intrigued, robbed the house of Ruiz of a quantity of dollars. For this offence both he and she were apprehended, and underwent examination before the officers to whom the dispensation of justice in the island was confided. Not being able to procure from the girl evidence of the delinquency of Gonsales, application was made to governor Picton on the subject, and an order was written and signed by him, to "inflict the torture upon Louisa Calderon." Pursuant to this dreadful decree, the unfortunate object against whom it was levelled was turned over to a gaoler, and fixed upon an instrument, which was prepared for the purpose, suspended by the left wrist, from the ceiling of a room, and resting with her right foot upon a sharp wooden stake. In this position, suffering the most excruciating pain, she was continued fifty-three or fifty-four minutes, as calculated by the watch of a magistrate of the island, who attended the dreadful punishment, to see that it was not continued more than an hour, foolishly alleging, that the English law did not permit a subject to be longer tortured. This punishment not having proved sufficient to extort from the sufferer the confession which was desired, twenty-four hours afterwards it was renewed for a space of twenty-two minutes, twice during which time the poor girl fainted; and having at last confessed that she knew Gonsales had committed the robbery, she was taken from the torture, immediately put into irons, and confined in a gaol, where she could not stand upright, for eight months, until a short time before the arrival of col. Fullarton in the island, by whom she was afterwards brought to England.—This shocking abuse of his station was the charge which was brought against general Picton.

Mr. Garrow said, that he understood the justification which was to be alleged was, that the infliction of the torture was consistent with the laws of Spain, which had long been observed there. He should call witnesses to prove that no such cruelty had ever been before practised in the colony. But would it have amounted to a justification, had that even been the case? No. At the moment that any island was taken under the protection of the British government, it had long been determined that torture ceased, as being incompatible with British jurisprudence. It had been determined, ever since the reign of Henry VI., when the duke of Exeter, one of the ministers of that reign, prepared an instrument for the purpose of torturing to confession the assassin of a distinguished nobleman, but which the judges of that day, to their immortal honour, declared nothing could justify the application of; and the instrument

was to this day preserved in the Tower, under the appellation of "the duke of Exeter's daughter." So far, however, from such a practice having been warranted by any precedent, evidence would be adduced to the jury, that governor Picton was the first man who ever cursed the island of Trinidad by ordering the erection of an engine for torture. One had been formed, by his direction, some time before the unfortunate person, whose sufferings had occasioned this prosecution, was subjected to its horrid operation, and had been used upon two or three negroes of the island, upon a charge of sorcery and witchcraft. In consequence of the mandamus issued by this court, much evidence had been brought from Trinidad, which had been thought necessary to the defence of the governor. It now became necessary for him (Mr. Garrow) to call witnesses to prove the case he had stated; and, amongst others, he would call Louisa Calderon herself, who would show to the jury some of the marks of the torture she had undergone.

Witness for the prosecution.

Louisa Calderon, attended by a Spanish interpreter, was then sworn, and examined by Mr. Adam.

Q. Were you at Trinidad in 1798?—A. Yes.

Q. Were you acquainted with Pedro Ruiz?—A. Yes.

Q. Did you live in his house?—A. Yes.

Q. Were you there when the defendant was governor of the island?—A. Yes.

Q. Do you remember a robbery committed in the house of Pedro Ruiz?—A. I do.

Q. Were you suspected of committing that robbery?—A. I was; and also Carlos, (Gonsales).

Q. Do you remember his being apprehended?—A. Yes.

Q. Were you and your mother also taken up?—A. Yes, the same night.

Q. Before whom were you carried?—A. Before governor Picton.

Q. Did he order you to be committed to prison?—A. Yes.

Q. Under what guard were you conveyed thither?—A. By three soldiers.

Q. To what apartment of the prison were you consigned?—A. To the women's side.

Q. Before you were sent there, what did the defendant tell you?—A. That if I did not confess, the hangman was to put his hand upon me.

Q. Do you know a person of the name of Beggerrat?—A. Yes.

Q. Is he an alcaide (magistrate)?—A. Yes; he came to me in prison, and examined me frequently as to the robbery.

Q. Was there an escribano (notary), of the name of Francisco de Castro, who also attended?—A. Yes.

Q. After some examinations, were you carried to a room where there was a picket erected in the gaol?—A. Yes.

[The witness was here desired to give a description of this instrument of torture, and of the manner in which it was applied to her person, which she did nearly in the way in which it was explained in the opening of the learned counsel. When the drawing before-mentioned was handed to her, representing in a striking manner her situation surrounded by her judges and executioners, she gave a shudder, expressive of horror; on which Mr. Garrow expressed his concern, that his lordship was not in a position to witness this accidental,

tal, but conclusive evidence of the fact.]

Lord Ellenborough objected to the exhibition of this drawing to the jury, until Mr. Dallas, on the part of his client, permitted it to be shown to them. The examination then proceeded.

Q. How long did you remain tied up in this situation?—A. Three quarters of an hour.

Q. Were you upon the spike all that time?—A. Yes.

Q. Were you at any time drawn up by the rope connected with the pulley?—A. Yes.

Q. Had you seen any persons in the same unhappy condition before?—A. Yes, two others.

Q. What was the effect of this torture?—A. I was in great agony, and after it, my wrist and foot were very much swelled.

Q. Were you asked to make confession of the robbery before you were tied up?—A. Yes; Beggerrat inquired if I would declare who took the money.

Q. Were you sworn before the torture was applied?—A. No; but the holy cross was held up before me.

Q. Did you confess?—A. Yes; after I was suspended, I said Carlos took the money.

[Several questions were then proposed as to the time the punishment was inflicted, which appeared to be about Christmas; and by subsequent interrogatories, it appeared she was taken into the gaoler's room, where she saw Carlos, to learn if she had herself taken the money.]

Q. Where did you go after you left the gaoler's room?—A. To the same apartment where I had been suspended. I was kept there all night.

Q. Were you put in irons?—A. Yes, in grillos (fetters on the legs).

Q. Describe what these grillos are?—A. They are formed of an iron bar fastened to the ground, to which are attached two rings to receive the legs.

[A drawing of this instrument was then produced, which the witness said was an exact representation of the grillos.]

Q. Were you put on the picket next day?—A. Yes, upon the same instrument, and in the same manner; it was in the morning.

Q. How long were you kept upon it?—A. Twenty-two minutes. There was a watch to show the time; Alvarez Beggerrat, Francisco de Castro, and Rafael, an alguazil (constable) were present.

Q. With which arm were you tied up by the second day?—A. With each, one after the other; and I was so suspended, that I could just touch the spike by extending my toe.—(My feet were without shoes or stockings, she said, in reply to a question by lord Ellenborough.)—She then described that she was seized with a fainting fit, and that she knew nothing of the time or circumstances of her recovery.

Q. Were you again put in irons?—A. Yes, in the grillos, the same evening.

Q. How long were you in this state?—A. All the time I was in prison, during eight months.

Q. Are there any marks of the injury you received, now apparent on your person?—A. On my wrists there are, but none on my feet.

[The witness now exposed the seam or callus, formed on her wrists in consequence of the torture.]

To some questions, on the cross-examination by Mr. Dallas, she

said that she did not know how long she had been released before she was brought over; that she came with colonel Fullarton, and that she had been maintained by Mr. White, of the Treasury.

Don Rafaal Shando, also assisted by the interpreter, said, that he was at Alguazil, in the island of Trinidad, in the year 1801; that he returned from the interior of the country on the 22d of December, and saw Louisa Calderon in gaol; that they were then giving her a glass of water, after bringing her down from the torture. She was supporting herself on a table; it was about seven o'clock in the evening. Beggerrat desired witness to bring Carlos up, and told her, that she must repeat to Carlos what she had said to him. After this interview, at which nothing transpired, she was instantly put in the grillos, and in the same room in which she had suffered the torture. The apartment was like a garret, with sloping sides, and the grillos were so placed, that, by the lowness of the room, she could by no means raise herself up during the eight months of her confinement. On the 23d of December she was again put to the torture, between eleven and twelve in the morning, and she remained in this situation 22 minutes by the watch.

[The witness here examined the drawing, and described the position much in the way it had been before represented, and then added:]

She fainted twice in his arms. Beggerrat sent vinegar to the executioner to administer to her in this situation. There was no advocate appointed to attend on her behalf, and no surgeon to assist her. No one but a Negro belonging to Bullo the gaoler, to pull the rope. As soon as she was taken down, she was put into the grillos. The witness had seen her sister bring her victuals, but never noticed the admission of her sister or her friend into the gaol. The witness had been four or five years in the post of alguazil. He never knew the torture inflicted in the island until the arrival of the defendant. There had been before no instrument for the purpose. The first he saw was in the barracks among the soldiers. Before Louisa Calderon, the instrument had been introduced into the gaol about six months. The first person he saw tortured in Trinidad was by direction of the defendant, who said to the gaoler—"Go and fetch the black man of the piquet-guard, and put him to the torture." After the eight months' confinement, both Carlos and Louisa were discharged.

Don Juan Montes said, he was acquainted with the hand-writing of the defendant, and proved the document containing the order for the torture expressed in these terms,

"Aplicase la question a Louisa Calderon."

(Signed) THOMAS PICTON.

[After some observations from Mr. Dallas, which were answered by Mr. Garrow, the Lord Chief Justice ruled, that the application of the alcaide Beggerrat, which led to the issue of this order, should be read.]

Mr. Lowten then read the representation of this officer, advising that slight torture should be applied, stating that his own authority was incompetent to do it without the order of the governor, and giving the result of the proceedings in the course of the examinations Louisa Calderon had undergone. The instrument was countersigned by Francisco de Castro.

Mr.

Mr. Garrow—"Then follow, my lord, the service of the order, and the acts of torment."

Lord Ellenborough—"Does it appear, that the defendant was acquainted with the subsequent proceeding?"

Mr. Garrow.—'I do not want it.'

Mr. Harrison now proceeded with the testimony of Don Juan Montes, who said, he had known the island of Trinidad since 1793. That the torture was never introduced until after the conquest of the island, and was then practised by order of the defendant. It was first used with the military in 1799, and 2 years afterwards in the gaol.

Mr. Garrow said, that he had more witnesses to produce, if necessary, of the first respectability; but, from regard to the time of the Court, he should here close the case on the part of the crown, unless it should be required by the counsel for the defendant, that it should be proved, that general Picton was governor of the island.

Mr. Dallas addressed the jury at great length on the part of the defendant. He recapitulated the circumstances of the case, and requested of the jury to view it in its true colours. The punishment here complained of was one sanctioned and acknowledged even by the mild laws of this country, against those brave men who risked their lives, who often spilt the best blood in their bodies for our defence. The crime, too, of which Gonsales was guilty, and to which there was little or no doubt that Louisa Calderon was an accomplice, was one of a capital nature by the law of this country. It was a robbery committed in the dwelling-house, and that, too, by, or through the connivance of, a domestic; a case which judges in this country always felt most peculiarly distressing to encounter, as they could not recommend it as one attended with alleviating circumstances, but which was almost uniformly expiated by an ignominious death. The case was not one in which colonel Picton had improperly or maliciously interfered. It was a complaint made to him at the government-house, which he sent to be considered by the judge, or alcaide, before whom he allows the law to take its course. This it was particularly necessary to attend to, when it was considered that the defendant was charged with maliciously oppressing Louisa Calderon. He never took a step in it till it came before him on the suggestion of the judge; and whether he erred or not in entering into that suggestion, it could never be alleged that he did so maliciously and with a view to oppress. If he was misguided as to the law of Spain, according to which this island was to be governed, still that could only be an error in judgment on his part, but from which malice could not be implied. He should be able, however, to show that torture was authorised by the law of Spain, according to which colonel Picton had sworn to govern the island of Trinidad; if so, the jury would be bound to acquit him of every part of the charge. In viewing these points, the first thing to be considered was the place, which was Trinidad. Where an offence was charged to be committed in this country, it was sufficient to state the case and prove the fact, by which the judge would be at once enabled to say, whether it was a crime against the law of the land. But if an offence was committed in another country, with the law of which his lordship was unacquainted,

unacquainted, that made a material difference. In every case where an offence was committed in a foreign country, the law of that country, by which the offence was constituted, must be proved. No two systems of jurisprudence could be more materially different than those of this country and of our colonies. He should only adduce one instance of it. Suppose a person with his nose slit, his arm cut off, and otherwise disfigured, were to apply to this country for redress against a governor, or other person, who, in the island of St. Vincents, for example, had ordered him to be disfigured in this manner, simply for resisting a constable in inflicting some punishment on a Negro? Nay, that it had been proved that by order of such governor, magistrate, or justice of the peace, the person resisting had been put to death—Who but would say, "The man who has done this shall surely die?" But when we learn that it is the law of these islands, that a black person resisting a constable is liable to have his nose slit, his arm cut off, and, if he has materially injured the white man, even to suffer death, we are forced to change our opinion, and to confess that the person by whom such sentence, however harsh it may seem, has been inflicted, has not acted illegally, far less that he has acted with a malicious motive, or with a wish to oppress. And would any man pretend to say, that in point of enormity, or of the feelings of natural justice, there was any comparison between the case here represented, and that which now offered itself, arising out of the laws of Spain? The situation in which the defendant was placed, was the next circumstance which naturally required to be noticed. Trinidad was a colony which for many years had been subject to Spain; though, pursuing different systems of policy, she at one time had ordered it to be cultivated, at another the cultivation to be suspended. Within the last few years of her possessing it, she had departed from that policy which had almost throughout marked her conduct—namely, exclusion of strangers. And from not being at a greater distance from the Spanish main, Trinidad had become the receptacle for every disaffected runaway, and for every convict or vagabond who could contrive to escape from the other islands. From these circumstances it was in a most extraordinary state at the time it was captured by the late gallant sir Ralph Abercrombie, and when the defendant, as the person in whom he had most confidence, was appointed by him to the government of it. The defendant was no civilian. He had been educated in a camp, and if, trusting to the alcade, or judges of the country, he had on their suggestion done what he might not of himself been inclined to do, it was simply an error in judgment, and could not be assigned to malice. The instructions he had from sir Ralph Abercrombie were to govern according to the existing laws. Previous to that time an appeal lay from the alcaide to the royal audience of Carraccas, and from that to Madrid; but this being done away when the island came into our hands, nothing remained for him but to follow what was pointed out to him as the law of Spain, by which the island had hitherto been governed. The learned counsel was then proceeding to draw a distinction between express and implied malice, when he was interrupted by

Lord

Lord Ellenborough, who said it was impossible to go into that sort of argument. It might in that way be contended that a man might murder by mistake. Such could not go to an acquittal, though it might to mitigation. The question really was—Was the punishment unlawful? in which case the law inferred malice; or Was it one authorised by the law of Spain? It would be very fit, if the authorities from the Spanish law warranted it, that the case should be turned into a special verdict.

Mr. Dallas than put in the instructions from sir R. Abercrombie to the defendant, and instructions to him from his majesty; both of them specifying the existing law of the island, as being that by which he was to regulate his conduct.

The learned counsel also produced several Spanish law books, and commentaries on the laws of Spain, in which the doctrine of torture as congenial to the spirit of the law of that country was recognised.

Those books, particularly Bobadellia and Curia Philippica, were declared by Mr. Groster, the attorney general of Trinidad, to be founded on as standard authorities to the law of Spain, and to have been sustained as such before the council at Trinidad, though he professed that he did not know much either of the law or language of Spain.

Michael Gournille, who had been in the island since the year 1774; and Emanuel Falgays, who one year acted as the alcaide, corroborated the statement of the defendant's counsel, as to the nature of the appeal from the judges of the island to the Caraccas. Both, however, agreed in stating, that they had never heard of an instance of torture similar to the one in question, till it was introduced by governor Picton.

Mr. John Nugent, who had been a settler in the island from the year 1786, swore to the same effect.

Mr. Garrow, for the prosecution, adduced a witness to prove that there was a peculiar code of laws, principally of the laws of the Indies, appropriated for the government of the Spanish Islands.

This witness was Don Pedro de Vargas, who stated, that he was bred to the law of Spain, which he had studied for many years, and had practised for two years in the capital of New Grenada; that he had known the Spanish West Indies from his infancy, and had been in the Caraccas, Porto Rico, Cuba, Havanna, and Trinidad, and in all his practice he never knew nor heard that torture formed any part of the law of the Spanish West India Islands, which were regulated not by the laws of Old Spain entirely, but by a code peculiar to themselves and the Indies, called *Recupulation*. He never saw an instrument of torture in any of the islands, and did not believe it possible that either the practice of torture could exist, or the instrument be at all general, without his having heard of their existence.

Lord Ellenborough remarked, that there being here conflicting evidence, the case must be left to the jury to say where it preponderated. In speaking of a special verdict, he understood that the defendant would clearly make out that Trinidad was governed by the law of Spain at the time of the capture, and that that law authorised the infliction of torture.

Mr.

Mr. Dallas then adduced additional evidence taken under a mandamus at Trinidad; but the witnesses all acknowledged their ignorance of the Spanish law, and at the same time admitted the practice in Trinidad to have been against the use of torture.

Mr. Dallas then addressed the jury on the point of fact, arguing that there was sufficient evidence that the law of Spain was that which existed in Trinidad at the time of the capture, and that the want of practice could not, of itself, rescind the law in question.

Mr. Garrow, in a very energetic speech, addressed the jury for the prosecution.

Lord Ellenborough—"The single question for your consideration is, Whether, by the Spanish laws observed in Trinidad, the defendant was justified in inflicting torture upon the prosecutrix? I would advise you, by all means, to divest yourselves of every thing which may inflame your minds, so that you may give impartial attention to the present case. The inquiry for you to make is, what was the subsisting law by which Trinidad, at the time it was taken by sir Ralph Abercrombie, was governed? The various authorities upon the subject of the distribution of justice in Spanish courts, do not mention the infliction of torture, and therefore the right of applying it, if it can be applied at all, must depend upon authorities before us, or upon the jurisdiction of the judge. We are not made acquainted at what time Trinidad was annexed to the Spanish colonial possessions, or what code of laws were then instituted. Depositions of witnesses have been read who have known the island for 32 years, and one of them was born there, and swears, torture was never administered. Mr. Nugent also says, he knew Trinidad for twenty years, and never saw the torture inflicted, or had even seen the instruments, and therefore it is absolutely without any proof to support it. Mr. Gloucester speaks to books of authority, which he stated to be in use when he was in the island; but the existence and reference to them can certainly not extend beyond the period when he himself was acquainted with them." (His lordship having made some further observations respecting the different authorities produced, concluded as follows:)—"The question then resolves itself to this, viz. Whether, in the absence of usage for 32 years, you will infer that the law of Old Spain so necessarily involved that of Trinidad, as to induce you to believe, that as the practice of torture is allowed by the one, it is also by the other. If you are of opinion that it does, you will be so good as to say so, that it may be inserted in the special verdict; if not, you will find the defendant generally Guilty."

The jury immediately returned, that they were of opinion, that no such law did exist which would authorise the defendant in inflicting the torture; in consequence of which general Picton was found—*Guilty*.

CAPTURE OF THE CAPE OF GOOD HOPE.

Downing-street, Feb. 28.

The dispatches contained in this gazette are dated Cape Town, Jan. 12, and announce the capitulation of the town and garrison.—The expedition sailed from St. Salvador on the 26th of November, and reached

reached Table Bay on the 4th of January.—After a general survey of the shore, it was found impossible to land the troops any where nearer to Cape Town than Saldanha and Lospards Bays, of which event gen. sir D. Baird gives the following particulars:

"The surf along the shore of Lospards Bay having considerably abated the ensuing morning, I determined, with the concurrence of commodore sir Home Popham, to make an effort to get the troops on shore; and accordingly the Highland brigade, composed of the 71st, 72d, and 93d regiments effected that object, under the command of brig.-gen. Ferguson.—The shore had been previously very closely inspected by the brigadier, and by his spirited exertions and example our efforts were crowned with success: although a confined and intricate channel to the shore, which had been accurately pointed out by beacons laid down by the diligence and activity of the boats of the Diadem, and a tremendous surf, opposed the passage of the troops. The enemy had scattered a party of sharpshooters over the contiguous heights, and commanded the landing; but the casualties of this service arose principally from natural difficulties, and it is with the deepest concern I have the honour to inform your lordship that we lost 35 rank and file of the 93d regiment by the oversetting of one of the boats, notwithstanding every possible effort to rescue these unfortunate men. The remainder of the troops could only be brought on shore on the succeeding day, when the extraordinary obstacles to all intercourse with the fleet, which nothing but the courage and perseverance of British seamen could surmount, barely enabled us to obtain the indispensable supplies of water and provisions for immediate subsistence.—On the morning of the 8th, the army, consisting of the 25th, 59th, 71st, 72d, 83d, and 93d regiments, about 4000 strong, was formed into two brigades, with two howitzers, and six light field-pieces, and moved off towards the road which leads to Cape Town; and, having ascended the summit of the Blawberg, or Blue Mountains, and dislodged the enemy's light troops, I discovered their main body, drawn up in two lines, prepared to receive us, and even in motion to anticipate our approach.—The enemy's force apparently consisted of about 5000 men, the greater proportion of which was cavalry, and 23 pieces of cannon, yoked to horses, the disposition of which, and the nature of the ground occupied by the enemy's troops, made it evident that they intended to refuse their right wing, and with their left attempt to turn our right flank; but, to frustrate their design, I formed the army into two columns, the second brigade under brig.-gen. Ferguson keeping the road, whilst the first struck to the right, and took the defile of the mountains. Having accomplished my purpose, our line was formed with equal celerity and order; and the left wing, composed of the Highland brigade, was thrown forward, and advanced with the steadiest step, under a very heavy fire of round shot, grape and musquetry. Nothing could surpass or resist the determined bravery of the troops, headed by their gallant leader brig.-gen. Ferguson; and the number of the enemy who swarmed the plain, served only to augment their ardour and confirm their discipline.

The

The enemy received our fire, and maintained his position obstinately; but in the moment of charging, the valour of British troops bore down all opposition, and forced him to a precipitate retreat. The first brigade, composed of the 24th, 59th, and 83d regiments, and commanded, in the absence of brig.-gen. Beresford, by lieut.-col. Baird, was unavoidably precluded, by their situation, from any considerable participation in the triumph of the British arms, though the flank companies of the 24th had an opportunity of distinguishing themselves in dislodging a number of horse and riflemen from the heights on our right flank. This brilliant achievement, however, was clouded by the loss of capt. Foster, of the grenadiers, whose gallantry is best recorded in the bosoms of his brother-soldiers, and the universal regret of the army. It is utterly impossible to convey to your lordship an adequate idea of the obstacles which opposed the advance, and retarded the success, of our army; but it is my duty to inform your lordship, that the nature of the country—a deep, heavy, and hard land, covered with shrubs, and scarcely pervious to light bodies of infantry; and above all, the total privation of water under the effects of a burning sun, had nearly exhausted our gallant fellows in the moment of victory, and with the utmost difficulty were we able to reach the Reit Valley, where we took our position for the night. A considerable portion of the provisions and necessaries with which we started, had been lost during the action, and we occupied our ground under an apprehension that even the great exertions of sir Home Popham and the navy, could not relieve us from starvation."

After some warm and well-merited compliments to the seamen for their zealous co-operation, the general thus continues:

"The loss of the enemy in this engagement is reputed to exceed 700 men in killed and wounded; and it is with the most sensible gratification that I contrast it with the enclosed return of our casualties. Your lordship will perceive the name of lieut.-col. Grant among the wounded; but the heroic spirit of this officer was not subdued by his misfortune, and he continued to lead his men to glory, as long as an enemy was opposed to his majesty's 72d regiment. I have the cordial satisfaction to add, that his wound, though very severe, is not pronounced dangerous; and I indulge the hope and expectation of his early recovery and resumption of command.—On the morning of the 9th, recruited by such supplies as the unwearied diligence and efforts of the navy could throw on shore, the 59th regiment, however, being almost completely destitute of food, we prosecuted our march towards Cape Town, and took up a position south of Salt River, which we trusted might preserve a free communication with the squadron; for our battering train, as well as every other necessary, except water, was to pass to us from his majesty's ships. In this situation a flag of truce was sent to me by the commandant of the garrison of Cape Town (the governor-general Jansens having retired after the action of the 8th into the country, moving by Hottentots Holland Kloof), requesting a suspension of hostilities for 48 hours, in order to negotiate a capitulation. In answer to this overture, I dispatched brig.-gen. Ferguson, accompanied by lieut.-col.

col. Brownrigg, to stipulate, as the condition of my acquiescence, the surrender of the outer works of the town within 6 hours, allowing 36 hours for arranging the articles of capitulation. My proposition being assented to, the 59th regiment marched into Fort Knokke; and the next day, in conjunction with sir Home Popham, the terms were agreed upon, and his majesty's forces were put in possession of the several defences of the town. Of the modified capitulation, as ratified by us, I have the honour to enclose a copy.—The cordial, able, and zealous co-operation of commodore sir Home Popham, emulated by all the officers under his command, merits my warmest acknowledgments and commendation; and I have the satisfaction to add, that no united service was ever performed with more true harmony than has uniformly been manifested by both branches of his majesty's forces. Such of his majesty's ships as could be spared from the service of Lospards Bay, constantly coasted the enemy's shore, throwing shot among his troops and people, and contributing to keep him ignorant of the actual place of our disembarkation; and a very spirited effort was made by the marines of the fleet, and a party of seamen from the Diadem, under the commodore's immediate command, to occupy a position in Reit Valley, and co-operate with the army."

Return of the killed, wounded and missing, of the forces under the command of major-general sir David Baird, in landing at Lospards Bay, on the 6th of Jan. 1806.

First brigade.—None.

Second, or Highland brigade—71st reg. 1 rank and file killed; 1 field officer, 3 rank and file wounded.

N. B. 1 drummer, and 35 rank and file of the 93d regiment drowned in landing.

Officers wounded.—Brevet major Weir, brigade-major, slightly; lieutenant.-colonel Pack, of the 71st regiment, slightly.

W. H. TROTTER, maj. 83d reg.
acting deputy adj. gen.

Return of the killed, wounded and missing, of the forces under the command of major-general sir David Baird, in the action of the 8th of January, 1806, at Blawberg.

First brigade.—24th reg. 1 captain, 3 rank and file killed; 1 drummer, 15 rank and file wounded; 2 rank and file missing. 59th reg. 1 rank and file killed; 1 captain, 5 rank and file wounded; 1 rank and file missing. 83d reg. 2 serjeants, 2 rank and file wounded; 3 rank and file missing.

Second, or Highland brigade.—71st reg. 5 rank and file killed; 1 field officer, 2 serjeants, 64 rank and file wounded; 1 rank and file missing. 72d reg. 2 rank and file killed; 1 field officer, 1 subaltern, 2 serjeants, 1 drummer, 35 rank and file wounded; 1 rank and file missing. 93d reg. 2 rank and file killed; 1 field officer, 4 subalterns, 1 serjeant, 1 drummer, 51 rank and file wounded. Marine battalion, 1 rank and file killed.

Total.—1 captain, 14 rank and file killed; 3 field officers, 1 captain, 5 subalterns, 7 serjeants, 3 drummers, 170 rank and file wounded; 8 rank and file missing.

Officer killed, 24th reg. captain Andrew Foster.

Officers wounded. 59th reg. Alex. M'Pherson, badly.

71st reg. Brevet lieut.-col. Campbell.

72d reg. Lieut.-col. Grant; lieut. Chisholm.

93d reg. Brevet lieut.-col. Honeyman.

78th reg. Lieuts. Scobie and Strachan, attached to 93d regiment.

86th reg. Ensign Hedderick and Craigh.

W. H. TROTTER, maj. 83d reg. acting deputy adj.-gen.

MARCH.

Admiralty-office, March 4.

This gazette contains a letter from capt. N. D. Cochrane, of the Kingfisher, to admiral Cochrane, dated off Barbadoes, Dec. 18, announcing the capture of the French privateer Elizabeth, from Guadaloupe, mounting 10 long sixes and four short nine-pounders, and 102 men, after a chase of 12 hours.—Admiral Cochrane, in a letter dated Dec. 31, announces the capture of 12 French and 9 Spanish vessels, taken by the ships under his command, between April 2 and December 31; together with five English vessels re-captured.

7. Yesterday the Royal Exchange and the whole neighbourhood of Cornhill were thrown into confusion, by an alarming fire, which broke out about twelve o'clock, at Gilham's chop-house, in Sweeting's-alley. The conflagration was occasioned by the chimney taking fire, the sparks of which fell on the roof and set it in a blaze. The engines arrived with promptitude, and by one o'clock the flames were extinguished. The damage is principally done to the upper part of the house. Shortly after the fire broke out, Mr. Gilham was impannelled with the jury, in the court of common pleas, and trying a cause, when one of his servants arrived to acquaint him with the misfortune of his family: he addressed the court, and was permitted to retire, after the parties in the cause had consented to abide by the verdict of the eleven jurors.

On Thursday last died, after a short indisposition, in the 75th year of his age, Henry Steward, gent. of Bury; who, in the year 1766, was, with Elizabeth Burroughs, tried for the murder of Mary Booty, his housekeeper—the former of whom was acquitted, and the latter convicted and executed. About two hours previous to Mr. Steward's dissolution, he made his will, in the presence of Dr. White, Mr. Hubbard, and Mr. Woodward. After giving the dividends arising from 2000l. stock, 3 per cent. consols., for the benefit of the poor of Lavenham, and disposing of the remainder of his property chiefly to charitable uses, with great composure and firmness of mind, he desired the following declaration might be inserted in his will:—"I hereby solemnly declare that, expecting in a very short time to appear before my maker and judge, I am innocent, and know nothing of how poor Molly Booty came by her untimely death."

Admiralty-office, March 11.

This night's gazette contains a letter from lieut. Shields, of the Forward gun-brig, announcing the capture of the Rancune French privateer, pierced for 12 guns, but had only four mounted, with swivels and small arms.

Admiralty-office, March 22.

Copy of a letter from earl St. Vincent, K. B. admiral and commander in chief of his majesty's fleet

fleet employed, and to be employed, in the Channel, Soundings, or wherever else his majesty's service shall require, to William Marsden, esq. dated on board the Hibernia, in Falmouth harbour, the 19th inst.

Sir,

I have the honour to transmit, for the information of the lords commissioners of the admiralty, the enclosed copy of a letter from capt. Paget; and have great pleasure in expressing my admiration of the gallant exploit therein recorded.

I am, &c.

ST. VINCENT.

Egyptienne, off Cape Finisterre, March 9.

My lord,

I have the honour to inform your lordship, that having received intelligence of a large French privateer being in the harbour of Muros, I decided on seizing the first opportunity of getting possession of her; I accordingly anchored his majesty's ship under my command off that port last night, and immediately sent the boats away to endeavour to cut her out, in which, I am happy to acquaint your lordship, they succeeded, though she was moored close to the beach, and under the protection of two batteries, which kept an incessant fire till she was towed clear of their range.

This vessel, which appears to be perfectly adapted for his majesty's service, proves to be L'Alcide, of Bourdeaux, a frigate-built ship, pierced for thirty-two guns, only two years old, and had, when last at sea, a complement of 240 men. This affair, so honourable to those who achieved it, was conducted by capt. Hanfield, who was ably supported by lieutenants Alleyn and Garthwaite, of the marines, the petty officers and boats' crews.

To account for that enterprising zealous officer, capt. Hanfield, being in the Egyptienne, I have to inform your lordship, that not having received an official communication of his promotion previous to our sailing, he volunteered, remaining in the ship as first-lieutenant during the cruise.

I have, &c.

CHARLES PAGET.

The earl of St. Vincent, admiral of the red, and commander in chief, &c.

Admiralty-office, March 24.

Dispatches, of which the following are copies, from vice-admiral sir John Thomas Duckworth, K. B. commanding a squadron of his majesty's ships, addressed to William Marsden, esq. and brought to England by capt. Nathaniel Day Cochrane, were yesterday received at the Admiralty:—

Superb, to leeward of the town of St. Domingue, about twelve leagues, Feb. 7, 1806.

Sir,

As I feel it highly momentous for his majesty's service, that the lords commissioners of the admiralty should have the earliest information of the movements of the squadron under my command, and as I have no other vessel than the Kingfisher that I feel justified in dispatching, I hope neither their lordships or vice-admiral lord Collingwood will deem me defective in my duty towards his lordship by addressing you on the happy event of yesterday; and as you will receive my letter of the 3d inst. herewith, I shall only say, I lost not a moment in getting through the Mona Passage, and on the 5th in

the afternoon was joined by the Magicienne, with a further corroboration from various vessels spoken, of an enemy's force of ten sail of the line, with as many frigates and corvettes, being in these seas; I therefore continued under easy sail for the night, in my approach off the town of St. Domingue, having given orders to capt. Dunn, of the Acasta, whose zeal and activity I have experienced for a series of years, to make sail with the Magicienne, capt. M'Kenzie, two hours before daylight, to reconnoitre; when at six o'clock the Acasta, to our great joy, made the signal for two of the enemy's frigates; and before seven, for nine sail at anchor: at half past, that they were getting under weigh. The squadron under my command then in close order, with sails set, and the Superb bearing my flag, leading, and approaching fast, so as to discover before eight o'clock, that the enemy were in a compact line, under all sail, going before the wind for Cape Nisto, to windward of Ocoa Bay; and as they consisted of only five sail of the line, two frigates, and a corvette (which hereafter will be named), I concluded, from the information I was in possession of, that they were endeavouring to form a junction with their remaining force, and in consequence shaped my course to render abortive such intention, which was completely effected by a little after nine, so as to make an action certain. I therefore telegraphed the squadron, that the principal object of attack would be the admiral and his seconds, and at three quarters past nine, for the ships to take stations for their mutual support, and engage the enemy as they got up, and a few minutes after, to engage as close as possible; when, at a short period after ten, the Superb closed upon the bow of the Alexander, the leading ship, and commenced the action; but after three broadsides she sheered off: the signal was now made for close action, and we were enabled to attack the admiral in the Imperial (formerly Le Vengeur), the fire of which had been heavy on the Northumberland, bearing the hon. rear-admiral Cochrane's flag. By this time, the movements of the Alexander had thrown her among the lee division, which rear-admiral Louis happily availed himself of, and the action became general, and continued with great severity till half-past eleven; when the French admiral, much shattered, and completely beat, hauled direct for the land, and not being a mile off, at twenty minutes before noon ran on shore, his foremast then only standing, which fell directly on her striking: at which time the Superb, being only in seventeen fathom water, was forced to haul off to avoid the same evil; but not long after the Diomede, of 84 guns, pushed on shore near his admiral, when all his masts went; and I think it a duty I owe to character and my country to add, from the information of sir Edward Berry, after she had struck, and the Agamemnon desisting from firing into her, from the captain taking off his hat, and making every token of surrender; and captain Dunn assures me, both ensign and pendant were down, to comment on which, I leave to the world. About fifty minutes after eleven the firing ceased, and upon the smoke clearing away, I found Le Brave, bearing a commodore's pendant, the Alexander and Le Jupiter, in our possession.

When

When I contemplate on the result of this action, where five sail of the line had surrendered, or were apparently destroyed, in less than two hours, I cannot, though bound to pay every tribute to the noble and gallant efforts of the hon. rear-admiral Cochrane, rear-admiral Louis, the captains, officers, seamen, and royal marines under my command, be vain enough to suppose, that without the aiding hand of Providence, such result would have been effected, and with a loss so comparatively small; and though I shall ever sympathise with the connections of those that fell, the reflection on the cause will, I hope, afford much consolation.

To speak individually to the conduct of any one, would be injurious to all; for all were equally animated with zealous ardour in support of their king and country. Yet, possessed of these feelings, I cannot be silent without injustice to the firm and manly support for which I was indebted to captain Keats, and the effect that the system of discipline and good order, in which I found the Superb, must ever produce; and the pre-eminence of the British seamen could never be more highly conspicuous than in this contest.

After the action, the water being too deep to anchor in the Bay of St. Domingue, it was requisite to bring-to with the prizes to repair damages, put the ships in a manageable state, and shift the prisoners, which took me till this afternoon, when I detached the hon. captain Stopford, in the Spencer, with the Donegal and Atlas, which latter had lost her bowsprit, with the prizes to Jamaica; and being anxious, with rear-admiral Cochrane, that he should return to his command, where his services must be wanted, a jury mainmast is fitting to the Northumberland, under this island, to enable her to get to windward, when I shall order the Agamemnon, which is staying by her, to accompany the rear-admiral to his station: and I am now proceeding with the Canopus, rear-admiral Louis, Acasta, and Magicienne, off St. Domingue, to make certain of the Imperial and Diomede being completely wrecked, after which I shall repair to Jamaica.

Having recited the transactions of this glorious combat, which will fairly add another sprig of laurel to our naval history, and assist in promoting our country's good,

I am, sir, &c.

J. T. DUCKWORTH.

Superb, off St. Domingue, Feb. 7, 1806.

Sir,

For the information of the lords commissioners of the admiralty, I send you herewith a list of the killed and wounded in the squadron under my command during the action of yesterday; but as it was hastily collected, should I find any errors they shall be amended by a subsequent opportunity. You will also have the French captains' statement of their loss in the captured ships; and I can venture to say, the French admiral's will not be in a less proportion; and the striking of the Diomede implies she did not escape the irresistible fire of his majesty's ships. A copy of my public thanks given to the admirals, captains, &c. for having so gallantly performed their duty in this truly and decisive action, I request you will lay before their lordships. I am, sir, &c.

J. T. DUCKWORTH.

To W. Marsden, esq.

BRITISH LINE.

WEATHER DIVISION.

Superb, - - - of 74 guns.
Northumberland, 74
Spencer, - - 74
Agamemnon, - 64

LEE DIVISION.

Canopus, - - of 84 guns.
Donegal, - - - 74
Atlas, - - - - 74
Frigates—Acasta, Magicienne, Kingfisher, and Epervier.

FRENCH LINE.

L'Alexandre, of 84 guns; 300 killed and wounded—taken.

L'Imperial, of 120 guns; number of killed and wounded not known, but certainly many—on shore, and completely wrecked.

Le Diomede, of 84 guns; number of killed and wounded not known, but certainly many—on shore, and completely wrecked.

Le Jupiter, of 74 guns; 200 killed and wounded—taken.

Le Brave, of 74 guns; 260 killed and wounded—taken.

Frigates.—La Felicité, escaped; La Comete, escaped.

Corvette.—La Diligence, escaped

Imperial, { contre adm. Le Siegle. / capitaine Le Pigot.
Alexandre, capitaine Garreau.
Brave, - ——— Conde.
Diomede, ——— Henry.
Jupiter, - ——— Laignel.

An abstract of the killed and wounded on board the respective ships of the squadron under the command of vice-admiral sir John Thomas Duckworth, K. B. in the action of the 6th of Feb., 1806, in the bay of the town of St. Domingue.

SUPERB.

Seamen killed—John Brookbank, Thomas Phenne, Isaac Legard. Marines killed—Thomas Kenry, William Morgan, Clement Alcock. Total—6 killed.

Officers wounded—Charles Patriarch, lieut., badly; Wm. Pickering, master, badly; Charles Wallington, Thomas Jackson, Joseph Bullen, James Willcox, midshipmen, all slightly.

Seamen wounded — Thomas Richards, John Willson, Alexander M'Donald, all dangerously; Nathaniel Hasset, John Nightingale, James Cotte, James Willson, William Jones, Philip Jones, all badly; David Davis, Henry Walker, William Moody, T. Grills, John Wallbrook, John Henderson, John Badcock, John Neil, Bryan Swiney, James Clegg, Andrew Rawn, William Henry Leaver, John Handy (boy), James English, Patrick Murphy, Thomas Tyler, George Rock, John Reading, Andrew M'Donald, John Williams, Michael Mileday, R. Longo, Thomas Ryar, Philip Brooks, William Moffatt, Jos. Lotham, George Browne, John Haylor, Jos. Legg, Andrew M'Kearkin, George Scott, all slightly. Total—40 wounded.

Royal marines wounded—James Quarman, dangerously; Samuel Paradice, John Keimar, both badly; Thomas Getting, James Thomas, Thomas Warmood, John Donough, Daniel Roberts, A. Osser, all slightly. Total—9 wounded.

Recapitulation—No officers killed; 7 officers wounded; 3 seamen killed; 40 seamen wounded; 3 royal marines killed; 9 royal marines wounded. Total—6 killed and 56 wounded,—62.

NORTHUMBERLAND.

Officer killed—David Ridgeway, midshipman.

Seamen killed—James Driscole, Robert Hollis, George Ugler, John Humphries, Alexander Tosh, Richard

ard Aspman, John Muir, Thomas Rowe, John Gardner, Kenneth M'Kenzie, Thomas Smith (2), John Coutee, William Shortman, John Kennedy, Jas. Morrison, William Robinson, John Waters, John Naseby.

Marine killed—Jacob Seaford.

Admiral's cook killed—Alexander Sapenack.

Officers wounded—Geo. F. Seymour, lieut., badly; William Millard, C. W. Selwyn, midshipmen, badly; Hen. Stokes, —— Comer, P. Peacock, midshipmen, slightly; Jerem. Laurence, supernumerary midshipman, badly; Daniel Sheridan, boatswain's mate, badly; Louis Lape, French pilot, badly.

Seamen wounded—Thomas Huskins, George Martin, Wm. Western, James Rogers, Manuel Say, John Chester, James Scott, Michael Atkinson, Thomas M'Carty, Alex. M'Cloudy, John Laurence, John Davy, Lewis Grant, Robert Hunter, William Cody, John Cullam, Thomas Kenyon, Joseph Bell, Peter Johnson, Thomas Grampus, William Watson, John George, Robert Wilson, Michael Hunt, Peter Kelly, John Casey, H. Jacobs, all badly; John Rowan, William Duncan, Robert White, Michael Landy, Daniel Connell, Henry Roach, Michael Perrith, Godfrey Hyer, John Holmes, Baptiste Belville, Hedrick Aubert, Thomas Evans, Michael Manning, John Bowre, Alexander Law, Calwin Swift, Edward Teale (boy), Charles Hardy, all slightly.

Secretary's clerks wounded —— —— Thomas, badly; Jeremiah Honey, slightly.

Quarter-master wounded.—G. Lamb, slightly.

Boatswain's mates wounded.—James Maxwell, John Ellender, slightly.

Serjeant of marines wounded—Thomas Jones, badly.

Private marines wounded—Joseph Sparkes, Edward Davis, Thomas Jones, John Pullen, Thomas Hodgets, William Williams, John Palmer, William Cannon, John M'Gowan, John Adams, James Rogers, all badly; William Clerk, F. Davis, Thomas Lynch, Francis Murphy, George Bishop, John Saville, all slightly.

Retinue wounded—James Ward, John Fulham, slightly.

Recapitulation—1 petty officer killed; 13 officers wounded; 19 seamen killed; 48 seamen wounded; 1 marine killed; 18 marines wounded. Total—21 killed, and 79 wounded—100.

CANOPUS.

(Return of names not sent.)—8 killed, 15 badly wounded, 7 slightly wounded. Total—30 killed and wounded.

SPENCER.

(Return of names not sent.)—14 seamen killed; 40 seamen wounded; 3 marines killed; 6 marines wounded.

Name of officer killed—Martin Oates, boatswain.

Names of officers wounded—Hon. Robert Stopford, cap., slightly; James Harris, lieut., slightly; James Cuthbertson, lieutenant of marines, badly; William Neame, midshipman, slightly.

Recapitulation—1 officer killed; 4 officers wounded; 14 seamen killed; 40 seamen wounded; 3 marines killed; 6 marines wounded. Total—18 killed and 50 wounded—68.

DONEGAL.

Officer killed—Charles H. Kynaston, midshipman.

Seamen killed—William Upham, Jeremiah Wakely, William Bickhuss, Andrew Vinburgh, Mer-

van Richardson, Benito Rodrigues, Lennard Mason.

Private marines killed—Wm. Moore, Patrick Kenefick, Edward Triphurst, John Millichamp.

Officers wounded—Mr. John Airey, master; Mr. Russell; Mr. —— Ogleun; Mr. —— Acton, all badly.

Seamen and marines wounded—John Owens, Peregrine Brighton, John Hutchson, James Elliott, David Perkins, Richard Curtis, Thomas Willson, Joseph Williams, James Herriott, Thomas Murray, John Chadwick, John Butcher, all badly; Thomas Hughes, Joseph Stanby, Thomas Dacres, Wm. Tolly, Thomas Cooper, Rd. Lewis, Henry Moore, Rt. Casie, Daniel Blaney, James Othew, John Masson, James Rees, John Cussens, John Owen, Wm. Jones, Thomas M'Clay, Henry Shedley.

Recapitulation—1 petty officer killed; 4 officers wounded; 7 seamen killed; 33 seamen and marines wounded; 4 marines killed. Total—12 killed, and 37 wounded—49.

ATLAS.

Seamen killed—John Ross, John Neville, John Graves, Wm. Bond, John Williamson, John Brown, Nich. Bokman.

Marine killed—Sam. Chambers.

Master wounded—Mr. William Mowbray.

Boatswain wounded—Mr. Stephen Spargo.

Seamen wounded—M. Redman, Joshua Barbau, John Henley, Thomas M'Bride, Samuel Chubb, Wm. Robinson.

Recapitulation—No officer killed; 2 officers wounded; 7 seamen killed; 9 seamen wounded; 1 marine wounded. Total—8 killed and 11 wounded, 4 of which badly, (names not expressed)—19.

AGAMEMNON.

Seaman killed—J. Cavanagh.

Boatswain's mate wounded—Richard Busto.

Seamen wounded—John Morgan, Alexander M'Farlane, Robert Bocock, Eman Joseph.

Serjeant of marines wounded—William Norton.

Corporal of marines wounded—Roger Sturgeon.

Private marines wounded—B. Kellen, Timothy Reilly, John Robertson, Nicholas Cooke, William Cole, J. Hallett.

Recapitulation—1 seaman killed; 5 seamen wounded; 8 marines wounded. Total—1 killed and 13 wounded—14.

General abstract of killed and wounded.

Superb.—6 killed and 56 wounded—62.

Northumberland.—21 killed and 79 wounded—100.

Canopus.—8 killed and 22 wounded—30.

Spencer.—18 killed and 50 wounded—68.

Donegal.—12 killed and 37 wounded—49.

Atlas.—8 killed and 11 wounded—19.

Agamemnon.—1 killed and 13 wounded—14.

Total—64 killed and 294 wounded.

Grand total of British killed and wounded—338.

J. T. DUCKWORTH.

Superb, off St. Domingue, Feb. 7, 1806.

As it is impossible for language to convey an adequate sense of my feelings to the hon. rear-admiral Cochrane, for the noble support rendered me by the Northumberland, or to rear-admiral Louis, and the captains of the squadron under my command, for the bravery and judg-

judgment displayed in the service of their king and country, by effecting a complete victory in as short a period as our naval annals can produce, I therefore can only, with a heart impressed by the highest sense of admiration and approbation, beg to offer to the hon. rear-admiral Cochrane, rear-admiral Louis, the captains, officers, and seamen, and to the officers, non-commissioned officers and privates of the royal marines, my warmest thanks; and I desire that the captains will convey those my sentiments of admiration and approbation, with thanks, in the most gratifying manner, to the officers, seamen and royal marines, as a proof of my high sense of their services in the battle of yesterday.

J. T. DUCKWORTH.

To the hon. rear-admiral Cochrane, rear-admiral Louis, the captains, officers, seamen, and royal marines.

Superb, to leeward of the town of St. Domingue, Feb. 8, 1806.

Sir,

Having, in a letter of about two hours since, acquainted you of my intentions to fire the Imperial and Diomede, I have the satisfaction now to say, that captain Dunn, whom I had employed in that service, has rescued all the prisoners from perishing through a tremendous sea, and completed the whole of the service highly to my satisfaction and his own honour, which I am to desire you will state to the lords commissioners of the admiralty; and I am, sir, yours, &c.

J. T. DUCKWORTH.

To William Marsden, esq.

Admiralty-office, March 28.

This gazette contains letters from admiral Dacres, and captains Hall and Mackenzie, of the Malabar and Wolf, dated at Jamaica, 2d and 13th of January, announcing the capture of two large French privateers, viz. Le Regulateur, of one long 18 and 4 brass six-pounders, and 80 men, and Le Napoleon, of one long nine, two 12lb. carronades, two fours, and 66 men, after an action of an hour and three-quarters with the Wolf, in which the latter lost two men killed, and four wounded.—Le Regulateur, on being towed out of the bay of Azatacleroes, Island of Cuba, sunk, with a seaman of the Malabar on board.—The crews of the privateers escaped on shore.

FROM THE DUBLIN GAZETTE, March 30.

This day about three o'clock, the earl of Hardwicke, late lord-lieut. of Ireland, left the Castle, in order to embark on board his majesty's yacht the Dorset, on his return to England.

His grace the duke of Bedford, lord-lieutenant, and the earl of Hardwicke went together from the Castle in the state coach, preceded by the leading coaches, in which were the officers of state, to the South Wall, where the yacht lay. They were escorted by a squadron of dragoons, and attended by a great number of the nobility and persons of distinction; the lord mayor, sheriffs, several of the aldermen and principal citizens in their carriages, followed by a concourse of people to the water side; the streets were lined by the regiments of infantry on Dublin duty. The earl of Hardwicke received every demonstration of respect, in passing through the streets, from the people, who testified their regard by repeated wishes for his welfare and safe return to England.

APRIL.

Downing-street, April 7, 1806.

A dispatch from major-general sir David Baird, commanding his majesty's troops at the Cape of Good Hope, dated 26th January last, addressed to lord viscount Castlereagh, has been received at the office of Mr. Secretary Windham, of which the following is an extract:

I had the honour to address your lordship on the 13th inst. relative to the situation of affairs in this colony, and I now proceed to submit to your lordship my subsequent operations against the Batavian forces, commanded by lieutenant-general Janssens, and which have terminated in the subjection of the whole colony.

According to my orders brigadier-general Beresford advanced with a detachment of the army on the 13th inst. to occupy the village of Stellenbosch, and secure the strong pass of Roode Sand, with a view to exclude the Batavian forces from that productive portion of the district, and to preserve to ourselves an undisturbed intercourse with the farmers below the Kloof. Lieutenant-general Janssens made no effort to dispute these objects, but contented himself with moving his forces to the summit of Hottentot Holland's Kloof, and there took post, waiting apparently to receive some overtures of pacification. Brigadier-general Beresford availed himself of this aspect of affairs to transmit to lieutenant-general Janssens a letter from me, and took that occasion of announcing that he was vested with powers to come to an accommodation with the lieutenant-general.

This proposition produced a truce for the purpose of carrying on a negotiation; but it were superfluous to occupy your lordship's time by detailing the various pretensions and arguments urged by lieutenant-general Janssens in objection to the terms I offered to his army; but the result thereof afforded so little prospect of accommodation, that I deemed it proper to move the 59th and 72d regiments to the Rhode Sand Kloof, and the 93d regiment towards Hottentot Holland, with a view to a combined operation with the 83d regiment, which had sailed on the 14th inst. for Moselle Bay, in order to throw itself into the enemy's rear, possess the Artaquos Pass, and, from that position, cut off his retreat through the district of Zwellendam.

Brigadier-general Beresford had acquiesced in the prolongation of the truce with general Janssens for a few hours, in the hope that further deliberation might dispose him to listen to the very honourable and advantageous terms I had offered him; and at the moment when every expectation of his renewing the negotiation had ceased, his military secretary, captain Debittz, waited upon me, and presented a modified draft of the terms originally proposed by me. On my declining to vary the conditions, captain Debittz solicited permission to refer my ultimatum to general Janssens; and was at length authorised to notify his acceptance of them.

In consequence of this notification I dispatched brigadier-general Beresford with directions to execute a treaty on the conditions first offered to general Janssens, and whereof I have now the honour to transmit your lordship an authenticated copy.

Articles

Articles of capitulation proposed by lieutenant-general Janssens, governor and commander in chief of the Batavian forces at the Cape of Good Hope, to brigadier-general Beresford, duly authorised by major-general sir David Baird, K.G. and commodore sir Home Popham, K.M. commanding the military and naval forces of his Britannic majesty.

Art. I. As soon as this capitulation is signed, the whole of the settlement of the Cape of Good Hope, with all its dependencies, and the rights and privileges held and exercised by the Batavian government, will be considered as surrendered by the governor, lieutenant-general Janssens, to his Britannic majesty.—Ans. Agreed to.

Art. II. The Batavian troops are to march with all their baggage, arms, &c. to a place hereafter to be agreed upon, and retain every thing, as well what belongs to the state as to individuals, and be at liberty either freely to dispose of the same, or, if they prefer, take every thing away with them.—Ans. The Batavian troops shall march from their present camp within three days, or sooner if convenient, with their guns, arms, and baggage, and with all the honours of war, to Simon's Town. They shall retain all private property, and the officers their swords and horses.

But their arms, treasure, and all public property of every description, together with the cavalry and artillery horses, must be delivered up. In consideration, however, of their gallant conduct, the troops will be embarked and sent straight to Holland at the expense of the British government, and shall not be considered as prisoners of war, they engaging not to serve against his Britannic majesty, or his allies, until they have been landed in Holland.

Art. III. The battalion of Hottentot light infantry shall, with the rest of the troops, march to the place to be agreed upon, and there, being disbanded by general Janssens, shall be at liberty to return to their own country.—Ans. The Hottentot soldiers are to march to Simon's Town with the other troops, after which they will be either allowed to return to their own country, or be engaged in the British service, as they may think proper.

Art. IV. Under this capitulation shall be comprehended all military men, who, being wounded, have not been able to follow the army, and have fallen into the hands of the British.—Ans. These persons being already prisoners of war, any decision respecting them belongs only to the British commander in chief.

Art. V. The officers and men belonging to the Batavian army are to be subsisted at the expense of the British government until they are embarked.—Ans. Agreed to.

Art. VI. The troops shall be transported to such ports of the Batavian republic as shall be selected by lieutenant-general Janssens.—Ans. The troops, as in answer to the second article, shall be sent to some port in Holland.

Art. VII. The sick who cannot be removed with the other soldiers are to be attended at the expense of his Britannic majesty, and when recovered sent to Holland.—Ans. Agreed to.

Art. VIII. The inhabitants of the colony who are comprehended in this capitulation, are to enjoy the same rights and privileges as have been granted to those in Cape Town,

Town, according to the capitulation of the 10th instant.—Ans. Agreed to, with the exception of not quartering troops, the country not having the same resources as the town, and this right having been always an appendage to the Batavian government.

Art. IX. The troops whilst on board ship are to be accommodated and fed according either to the Dutch or English method, as is most beneficial to them.—Ans. The troops, when embarked, will be treated in every respect as British troops when on board transports.

Art. X. Lieutenant-general Janssens shall be at liberty to send home a dispatch to Holland, and will receive assistance from the British commanders in forwarding the same.—Ans. Agreed to.

Art. XI. The baron of Hogendorp having expended a great deal of money for the execution of agricultural plans, he shall be supported by the British government in carrying his plan into execution; and the British government shall grant unto him all such rights and privileges as, from the public records, it shall appear the Batavian government meant to have given him. —Ans. This article must be left entirely to the discretion of the future British governor or commanders.

Art. XII. If in this capitulation any thing doubtful may occur, it shall be bona fide construed to the benefit of the Batavian government. Ans. If any doubt should arise as to any article contained in this capitulation, it shall be decided according to what shall appear to be just and honourable, without any preference to either party.

Given under our hands and seals, this 18th day of January 1806, at the Hottentots Holland,

(Signed) J. W. Janssens.
W. C. Beresford,
Brig. gen.

Executed in the presence of
(Signed) J. A. Truter,
J. C. Smith.

Ratified and confirmed in the Castle of Good Hope, this 19th day of January 1806.

(Signed) David Baird,
Major-gen. commander in chief.
Home Popham,
Commodore, commanding his majesty's naval forces.

Admiralty-office, April 7, 1806.

Copy of a letter from the earl of St. Vincent, K. B. admiral and commander in chief of his majesty's fleet employed in the Channel, Soundings, &c. to W. Marsden, esq. dated on board his majesty's ship the Hibernia, off Ushant, April 1, 1806.

Sir,

I inclose, for the information of the lords commissioners of the admiralty, a copy of a letter which I this day received from lieutenant T. Usher, commanding his majesty's armed brig the Colpoys.

I am,
St. Vincent.

Colpoys hired brig, Plymouth, March 30, 1806.

My lord,

I have the honour to acquaint your lordship, that cruising in his majesty's brig Colpoys, under my command, agreeably to the orders of admiral Cornwallis, on the 21st of this month, we chased three Spanish luggers into the port of Avillas; and, as we had a fine commanding breeze, I determined on following them in, notwithstanding the fire of a six-gun battery

tery under which they ran, but which I considered the Colpoys as competent to silence. For this purpose we prepared for anchoring with springs; and, on arriving within the range of the enemy's guns, and before our carronades could be worked with effect, the wind died away. To draw the fire from the brig, and in order to lose no time in effecting my object, the two boats were immediately manned with volunteers, and, after pushing through a heavy fire of grape from the battery, and the musketry from a party of soldiers, which had been sent on board the vessels to defend them, I succeeded with six men, in the headmost boat, in boarding and carrying them, the enemy jumping over one side as we entered on the other; thirteen of them fell into our hands: the second boat, which pulled heavy, came up afterwards, and we succeeded in bringing them off. Notwithstanding the heavy fire of the enemy's battery of 24-pounders, two men only received any hurt; one of them, I am sorry to add, a dangerous wound, though, I hope, not mortal. I have felt it a duty I owe to the steady courage and perseverance of the master, mates, and crew of the Colpoys, to detail to your lordship the circumstances of this little enterprise, as they have universally shown the same determination in my support in other affairs the Colpoys has been engaged in since I have had the honour to command them. I annex, in the margin, for your lordships' information, the names of the captured vessels.

I have, &c.

(Signed) THOMAS USHER.

Right hon. earl S^t. Vincent, &c.

Names of the captured vessels:—La Santa Buena Ventura, of two guns, laden with flax and steel. San Antonia, of two guns, laden with flax and steel. San Real, in ballast, and sent away with eleven prisoners.

Wounded:—Thomas Ash (severely); and John Robinson.

CARDIFF ASSIZES.

There was only one prisoner tried at these assizes, viz. Morgan William, charged with the wilful murder of Margaret William, his servant. The prisoner's servant had been committed on the same charge, but the grand jury did not find the bill against him.

In support of the prosecution it appeared, by the examination of the evidence, that one evening in October last, the prisoner, on returning home to supper, desired the deceased to get him some bread and butter; but that, not being satisfied as to the quantity, some words arose; and the deceased observing that the ghost of his brother had appeared to her, and that she had been informed by other persons that they had seen the same, he got up and laid hold of her, and shook her violently, struck her with his fist on the side, threw her on the ground and dragged her about, and gave her some blows with his hands and knees on the thighs and lower part of her belly. While the deceased was down she requested the witness, who was a servant of the prisoner, to assist her; but Morgan William, the son, desired him not to interfere, for the deceased had caused much mischief in the family. Soon after the woman appeared to be dead, and was lifted into a chair. Whilst she was in the chair the prisoner appeared to be in a distraction of grief, called her his dear Peggy, begged she would speak to him, and kissed her on the cheek. Some spirits were

were then put into her mouth, which the witness could not tell whether she swallowed or not, and she was afterwards taken up stairs on the shoulder of Morgan William, the son.

A boy, fifteen years old, stated that the prisoner desired him to say that the deceased had died in a fit, if any one asked him.

The funeral took place about the usual time after a natural death, at ten o'clock in the day-time, and was attended by the friends of the deceased.

Richard Griffith, esq. the coroner, deposed, that about ten days after the death an inquest was demanded, and that he had directed the body to be taken up. Upon examination there appeared many marks of violence on the thighs and lower part of the belly, evidently made by an obtuse instrument, and which he was convinced could not be the effect of natural corruption, nor the marks of any previous eruptive disease: that, being satisfied as to the cause of her death, he did not open the body. He admitted, however, that there might be some cases of sudden death which could only be discovered by a dissection of the parts. Upon being asked by the court what was his belief of the cause of the death of the deceased, he was decidedly of opinion that she died in consequence of the bruises she had received.

Dr. Turton, on behalf of the prisoner, said he was a physician residing at Swansea, and had sometimes seen cases of sudden death. Being desired to give his opinion as to the probability of discolourations of the skin appearing after death, in a very clear and scientific manner he informed the court, that the circulation of the blood is the last effort of existence; that, after the body is to outward appearance dead, circulation may be for some time going on, though in an imperceptible degree; that while circulation goes on, the vessels must be necessarily in action, and more or less full of blood; and that during this time, even after the appearance of dissolution, they may be broken by any violence or rough handling, and, discharging their contents, occasion discolourations of the skin. He likewise observed that there were various internal disorders and malformations of the organs, which might be exasperated by violent agitations of the passions or feelings so as to cause sudden death; that even the passions themselves, by an excess of exertion, might produce immediate death, by spasm, rupture of an artery, &c.; and that these various internal causes of sudden death can only be discovered by dissection.

The learned judge, in a speech of much energy and eloquence, recapitulated the evidence to the jury; and the latter, after retiring a few moments, brought in their verdict—Guilty of manslaughter.

On the following morning the judge passed sentence on the prisoner in the following impressive address:

"Morgan William, you are convicted of manslaughter alone, upon a charge of murder, which it was the express opinion of the court that your guilt had incurred, if the facts in evidence were believed. The jury, therefore, must either have set up their judgment of the law against ours, or have misunderstood the law as delivered by me, or have disbelieved the witnesses, or have been misled by the effect of your character as a peaceable and good-natured man. As

to

to their preference of their own law in direct and wilful opposition to that of the court, I cannot and will not believe it; in other words, I must not believe them to have abused their power and violated their duty. If I was misunderstood, it was not for want of all the efforts in my power to impress the rule and principle upon their minds with all the accuracy and precision which I could stamp upon them. As to the discredit of the witnesses, it happens that not one of them was impeached by yourself. No witnesses in my judicial experience ever delivered their testimonies with more delicacy or caution; one of them, unsolicited, marked in his evidence, that when you kicked this woman you had no shoes on. The difference in effect was trivial, but in his mind it occurred as a feature softening the outrage. The son of that father, a boy to whom you recommended a false account of the death in confidence, apart, and with him alone, is confirmed by the woman who laid out the deceased, and who represents that you told the same fiction to her. The evidence of the coroner and surgeon, Mr. Griffiths, to the cause of the death as occasioned by your violence, must have convinced the jury when they found you guilty of manslaughter. They must therefore have thought (with me) the evidence of Dr. Turton wasted and thrown away. He enlightened us with certain other causes of death, reconcileable to similar appearances, but which had no ground for them in the fact. His evidence therefore might have been spared. As to your character, if it were true, (and I will assume its truth,) it would prove that you have deceived your neighbours, and that you have deserved a character the reverse of that which has been given. Had a thousand witnesses called you "peaceable and good natured," this one transaction of pride and revenge would outweigh them all. The jury may have thought you did not mean to kill, and therefore could not be guilty of murder; in other words, may have thought you intended cruelty and mischief in the extreme to this defenceless woman, but short of death. If the fact here supposed were true, the opinion that it was therefore no murder would have been false; and it was reprobated by me with all the energy which, armed by the law, I could give to the opinions I delivered. But could they believe the fact, that you did not mean to kill; you that said the very minute before you made the first attack, "it was in your hands to kill her?" Perhaps they believe you were not master of your own reason, but were heated by passion from the moment of your first anger up to the very instant of this poor creature's death. Could they believe it? Could they believe you heated, when, after such a feather of provocation, you fell upon a defenceless person who did not raise her hand against you, beat her with your fist upon the bosom and thighs, kicked her, and when she was down pressed your knees upon several parts of her body, inflicting blows and contusions even upon her waist? Could they believe you were heated, when, upon her affecting appeal to her fellow-servant, you commanded him to desist from any help to her? Could they believe that you had no deliberate hatred in your mind, when there is not one mark of your penitence and remorse? Your "distraction" was the horror of momentary panic, and it came too late. But it was followed

up,

up, in a very short period, by the command of a most wicked falsehood, in cold blood, impressed upon one of your servants,—a falsehood asserted the very next morning by yourself. Hundreds have been executed for murders less aggravated and less cruel. It is the second instance in the county of Glamorgan, since my judicial intercourse with it, (and I shall, after this acquittal, fear that it will not be the last,) of a master's tyranny to a servant ending in death and in murder. Whatever motives of judgment or of conscience induced the jury to deliver this verdict, it will be long felt as a deep stain upon the county, "that such guilt as yours could escape," though I impute no blame to the mercy which I cannot understand.

"You have taught your son to resemble you. He did venture to entreat that you would arrest your murdering hand: But when? After the victim had expired. He had previously fomented your bitterness against this wretched creature by telling that idle story of the ghost, which you resented by killing her. When he addressed himself to her, supposing her to be alive, it was in terms of unfeeling insult: "You have done (said he) mischief enough, go to bed." God of mercy! are servants to be thus treated? Is it in this generous island that we can hear of such tyrannies? Had the jury convicted you of the murder, not all your opulence, or the interest it could make, would have given to the short interval between your sentence and your death one additional hour. Who would imagine that I am talking all this time of manslaughter, which is, in its legal acceptance, heated passion, or a wanton act with no peril of life, but ending, by accident unforeseen, in death? The jury would themselves ignorantly tell us, that if it be not murder it is very near it, and is the most aggravated of manslaughter, which, of course, would call upon us to inflict an exemplary punishment upon such an offender. In truth, it is a murder; it is nothing else. Not one feature of the mitigated crime appears. It is at the best a depraved and cruel outrage, endangering life, and ending in the death for which it was calculated; but at the worst it is also deliberation in cold blood, and with a decided purpose to kill; in both of these views it is equally a murder. Yet how to punish it under its name of manslaughter is a difficulty. We are crippled, and yet it is no dishonour to the law that we are, for it never supposed that a case like this could have the name of manslaughter stamped upon it by a verdict. We cannot imprison for the offence to which your guilt has been softened by the verdict, for more than one year. The additional punishment of burning in the hand for manslaughter (properly understood) was absurd and cruel, or both. But in a case like this, one half-laments that it has been superseded. Branded, however, you are still to be—conscience will inflict that penalty; the abhorrence of your character in every feeling heart will pollute your path and your bed. The day will come when this murder, as I call it still, (and by its true name,) will sit heavily upon your soul, unless the guilt is deeply repented before that hour shall come. The only punishment which is now to be added by the court, instead of burning in the hand, is fine. As your fortune is ample, and as we are desirous to mark our sense of your guilt, we should make that fine exemplary

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as well as penal. But here again we are crippled; for the law, contemplating what is manslaughter, (not a case like yours,) has told us that it must be a moderate fine. Upon what principle I cannot imagine, but the court has in general considered the word moderate as intending a nominal fine, and has deemed it satisfied in aggravated manslaughter by a shilling. We have upon former occasions broke in upon that judicial habit elsewhere, and are willing to embrace the odium of the singularity. In your case we impose 50l. as the fine, the most ample that was perhaps ever inflicted upon a manslaughter, but still, if compared with your guilt, moderate in our view of it, and reconcileable to a sound exercise of discretion,—so moderate, that if it was not for that word we should have made it four times heavier. Your sentence therefore is, that you be imprisoned for one year in the county gaol, that you pay 50l. as a fine, and be imprisoned until that fine is paid.

8. About two o'clock this morning the neighbourhood of East Smithfield was alarmed by a dreadful crash, like the rolling of thunder, when it was immediately discovered that a stack of chimneys, in the centre of two very old houses, in Back-lane, near the extremity of Rosemary-lane, had fallen in, carrying along with it the houses themselves, down to the ground-floor, and overwhelming the unfortunate inhabitants in one common ruin. Every assistance was instantly procured, but not less than fifteen persons, male and female, suffered more or less. It is supposed that there were not less than fifty or sixty persons within the walls at the time. One woman was dug out of the rubbish quite dead; another so much bruised that she has since died.

Admiralty-office, April 22.

Inclosures from the earl of St. Vincent, dated on board the Hibernia, off Ushant, April 14, 1806.

Prince of Wales, off Rochefort, April 9.

My lord,

I have the honour to transmit to your lordship a copy of the letter I have this day received from capt. lord Cochrane, of his majesty's ship Pallas, under my orders. It will not be necessary for me, my lord, to comment on the intrepidity and good conduct displayed by lord Cochrane, his officers and men, in the execution of a very hazardous enterprise in the Garonne; a river the most difficult, perhaps, in its navigation of any on this coast. The complete success that attended it, as well as the destruction of the vessels of war, mentioned in the said letter, on the coast of Arcassore, bespeaks their merits more fully than is in my power to do; to which may be fairly added, that nothing can evince more clearly the high state of discipline of the crew of the Pallas than the humanity shown by them to the enemy in the conflict.

EDW. THORNBOROUGH.

The earl of St. Vincent.

Pallas, off Chasseron, April 8.

Sir,

Having received information, which proved correct, of the situation of the corvettes in the river of Bourdeaux, a little after dark, on the evening of the 5th, the Pallas was anchored close to the shoal of Cordovan; and it gives me satisfaction to relate, that, about three o'clock, the national corvette La Tapageuse, of 14 long 12-pounders and

and 95 men, which had the guard, was boarded, carried, and cut out, about 20 miles above the shoals, within two heavy batteries, in spite of all resistance, by the first-lieutenant Mr. Haswell, Mr. Sutherland the master, Messrs. Perkins, Crawford, and Thompson, together with the quarter-masters, and such of the seamen, the serjeants, and marines, as were fortunate enough to find place in the boats. The tide of flood ran strong at day-light. La Tapageuse made sail; a general alarm was given; a sloop of war followed, and an action continued, often within hail, till, by the same bravery by which the Tapageuse was carried, the sloop of war, which had been before saved by the rapidity of the current alone, after about an hour's firing was compelled to sheer off, having suffered as much in the hull as the Tapageuse in the rigging. The conduct of the officers and men will be justly appreciated. With confidence I shall now beg leave to recommend them to the notice of the lords commissioners of the admiralty. It is necessary to add, that the same morning, when at anchor, waiting for the boats (which, by the bye, did not return till this morning), three ships were observed bearing down towards the Pallas, making many signals: they were soon perceived to be enemies. In a few minutes the anchor was weighed, and, with the remainder of the officers and crew, we chased, drove on shore, and wrecked, one national 24-gun ship, one of 22 guns, and La Malicieuse, a beautiful corvette of 18 guns; their masts went by the board, and they were involved in a sheet of spray. All in this ship showed good zeal for his majesty's service. The warrant officers, and Mr. Tattnal, midshipman, supplied the place of those commissioned. The absence of lieutenant Mappleton is to be regretted; he would have gloried in the expedition with the boats. The assistance rendered by Mr. Drummond, of the royal marines, was such as might have been expected. Subjoined is a list of the wounded, together with the vessels captured and destroyed since the 26th ultimo.

COCHRANE.

Admiral Thornborough.

Killed—None. Wounded—3.

Vessels taken or destroyed—Le Dessaix, chasse maree, taken; L'Isle d'Aix, ditto, taken; La Pomone brig, taken; a large brig, burnt; a chasse maree, wrecked.

National ships—La Tapageuse, of 14 guns and 95 men, taken; La Malicieuse, of 18 guns, wrecked; imperial ship, of 24 guns, wrecked; imperial ship of 22 guns, wrecked.

[This gazette also contains a letter from capt. Brace, of his majesty's ship Virginie, giving an account of his having, on the 9th instant, captured the Spanish schooner privateer Vengador, of 14 guns and 82 men.]

Admiralty-office, April 26.

This gazette contains an inclosure from admiral Young, of a letter from capt. T. M. Allan, of the Hind revenue cutter, dated off Catwater, April 21. It states, that on the 18th the cutter fell in with a French brig privateer of 14 guns, three leagues N. N. E. of Scilly. She fired a broadside and a volley of musketry, and then crowded all sail to get off; but, after a running fight for three hours, she struck to the Hind, and proved to be L'Intrepide, of St. Maloes, of 14 guns, eight of which were in the hold. The captain and two of the crew were killed, and two wounded. The

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Hind had none either killed or wounded. The privateer had been out 20 days, and had captured four vessels.

An inclosure from sir A. Cochrane contains a letter from capt. J. Smyth, of the Woolverine, dated January 31, 60 leagues to the windward of Barbadoes, and announcing the capture of the French schooner privateer La Petite Confiance, of three guns and 50 men: and another from capt. Barker, of the Grenada brig, dated off Grenada, February 18, stating the capture of the French schooner letter of marque Princess Murat, having two 42-pounders, one 9-pounder, and several swivels, with 52 men. The enemy had three men killed and seven wounded; on board the Grenada, Mr. Atkins, the master, was wounded, and a boy killed. The enemy's guns were mounted in such a manner as to enable them to bear at the same time in any direction. Captain Barker bestows great praise on Mr. Malone, sub-lieutenant, Mr. Atkins, Mr. Briggs, midshipmen, and a party of the 60th regiment, who were serving as marines, as well as on the whole of the crew.

A letter from capt. Younghusband, of L'Heureux, to W. Marsden, esq. announces the capture of La Bellone French privateer, of 14 9-pounders and 117 men; and of La Bocume privateer, of three guns and 60 men. La Bellone had on board 8000 dollars, being her owner's share of a prize which they had carried into Cayenne.

Admiralty-office, April 29.

This gazette contains a letter from capt. Stockham, of the Thunderer, to lord Collingwood, announcing the capture of a Spanish schooner privateer, of 14 guns and 67 men, from Bayonne. She had been out 15 days, and had captured a Swede, a Hamburgher, and a Dane; which last was retaken by the Thunderer.

CEREMONIAL OF THE TRIAL OF LORD MELVILLE.

First day, Tuesday, April 29.

At 10, the speaker of the house of commons came to the house, and in a short time took the chair. He then dispatched the serjeant at arms to clear the passages, and about half-past 10 proceeded to the bar of the house; when the members, being called over according to their counties, proceeded to Westminster Hall. At 37 minutes past 10, Mr. Whitbread appeared, and, preceding the other managers by a few paces, repaired to the box prepared for them. He was followed by Mr. Fox, lords Howick, H. Petty, A Hamilton, and Robert Spencer, and the rest of the members of the commons associated with him in conducting the impeachment. They were all in court dresses. As soon as the managers were seated, the other members of the house of commons came in, according to the order in which their names had been called over; but took their seats indiscriminately on the benches prepared for them, on the right of the hall, looking from the throne which is placed at the upper end, close to the steps ascending to the courts of king's bench and chancery. When the members had been all seated some minutes, the speaker entered, and took his seat in the chair prepared for him, in the middle of the front row of the benches of the commons. The number of members present was near 500;

but the whole of the space prepared for the house of commons was not occupied; the gallery behind the managers' box being not above one-fourth full. About 11, the lords moved from their own chamber of parliament, the clerks of parliament first, the masters of chancery following them, next the serjeants, then the judges; after them a herald, and then the elder sons of peers, and peers minor; then, after the ushers, the

Barons, 2 and 2.	Marquises.
Bishops.	Dukes.
Viscounts.	Archbishops.
Earls.	Ld. Chancellor.

In about five minutes after the speaker had taken his seat, the procession from the house of lords began to enter the hall. First came Messrs. Rose and Cowper, clerks of the lords; next, the masters of chancery, then the judges. The heralds at arms next appeared, who were followed by the bishops, barons, and viscounts. After an interval of a quarter of an hour, the peers of the degree of earl came in, followed by the chancellor. At this time lord Melville entered the court from the bottom of the hall, and, proceeding round the counsel's box, took his place inside the bar, immediately behind the barons' bench, and just before Messrs. Adam and Plomer, his counsel. His lordship was in a court dress, bottle green, with cut steel buttons; he was unrobed, and sat with his face towards the box of the managers of the impeachment. He displayed a manly composure, and was particularly attentive to the opening speech of Mr. Whitbread. In the box allotted to lord Melville's counsel, Mr. Robert Dundas, lord Melville's son, sat, exhibiting a very dignified and interesting union of sensibility and firmness. His conduct in the house of commons, in the most trying discussions relative to lord Melville's conduct, had previously established a general feeling of respect for his character, which he sustained very well by his becoming deportment this day. After the earls, the marquises, dukes, the abp. of York, the primate, and the lord chancellor, entered in order; the princes of the blood royal being last in the procession, which was closed by the prince of Wales. All the peers bowed to the speaker of the house of commons as they passed by, and, advancing in front of the throne, each peer made obeisance, and proceeded to his place. All the peers were habited in the full robes of their respective ranks. As soon as they were seated, silence was proclaimed, under pain of imprisonment, by the serjeant at arms, who made the following proclamation:

"Oyez! Oyez! Oyez! Whereas charges of high crimes and misdemeanors have been exhibited by the honourable the house of commons, in the name of themselves and of all the commons of Great Britain, against Henry lord viscount Melville; all persons concerned are to take notice, that he now stands upon his trial; and those who have any thing to offer against him may come forth, in order to make good the said charges."

Mr. Whitbread stated, that he had, in the name of the house of commons, and all the commons of Great Britain and Ireland, exhibited articles of impeachment against lord Melville; and declared that he was now ready to make good the same.

The lord chancellor having put the question whether the charges should be read, Mr. Rose proceed-

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ed to read the articles of impeachment, which occupied 40 minutes. Lord Melville's answer was next read. The tenth, or additional charge, was read in like manner, as well as lord Melville's answer to that particular charge, and his protest against it. These took up about 7 minutes more.

The lord chancellor now addressed himself to lord Melville and the managers, and informed them that they were to address whatever they had to offer, to the peers, and not to the chancellor. His lordship then retired from the woolsack, and took his seat in a chair at the clerk's table. His lordship's seat on the woolsack was then occupied by the prince of Wales, who had hitherto sat beside him. On the left hand of his royal highness were the dukes of Clarence and Kent; on the right the duke of York. The dukes of Cumberland, Cambridge, and Gloucester, stood the greater part of the time, the seats for the peers not being sufficient to accommodate more than three-fourths of the number who attended.

As soon as the chancellor was seated at the table, a pause of a few minutes took place, during which the whole of the numerous and splendid assemblage present were filled with anxious expectation. Mr. Whitbread then stood up, and addressed the peers, in one of the most eloquent, nervous, and at the same time liberal speeches that ever was heard, in support of the charges. He spoke for three hours and three quarters; and during every moment of that long time was heard with unwearied attention by every one present. He began at a quarter past 12, and concluded a few minutes before 4, amidst a general buzz of admiration. The lord chancellor returned immediately to the woolsack, and adjourned the court till next day. From the excellent arrangements adopted by the lord chamberlain, and his son, the hon. Mr. Burrell, who acted as his deputy, the company got out with the greatest ease. All had reached their carriages before 5 o'clock. The duchess of York was the only female present of the royal family.

MAY.

Admiralty-office, May 3.

This gazette contains two letters from capt. Younghusband, of L'heureux, to adm. Cochrane. The first is dated off Trinidad, Jan. 15, and announces the capture of the Spanish letter of marque Amelia, of eight 6-pounders and 40 men, with a valuable cargo of dry goods and wine; and the Spanish brig Solidad, from Cadiz to Vera Cruz, with brandy and wine.—The other, dated off Barbadoes, March 10, states the capture of the French privateer Le Huron, of 18 guns and 130 men. The privateer had her captain, second-lieutenant, and 2 men killed, and 7 wounded.

A letter from capt. Collier, of the Woolverine, to adm. Cochrane, states, that he captured on the 12th of March, the French schooner La Tremeuse, of 3 guns and 23 men, from Guadaloupe. Another from lieut. Briarly, of the Steady, dated Dec. 24, mentions his having proceeded in the Brilliant schooner, with a launch, to Pardo Bay, on the Spanish coast, and taken a row-boat privateer, with a schooner and two sloops which she had captured.

Captain sir E. Berry writes to the same admiral, dated March 30, informing him of the capture, by

the Agamemnon and the Heureux, of La Dame Ernouf schooner, from Guadaloupe, of 17 guns and 150 men.

Lieutenant Shackleton, of the Rebuff, in a letter to sir J. Saumarez, states, that on the 26th ult. he captured La Sorciere French privateer, from St. Maloes, of 16 guns and 46 men.

Admiralty-office, May 6.

Copy of a letter from sir John Borlase Warren, bart. and K. B. vice-admiral of the blue, &c. to William Marsden, esq. dated on board his majesty's ship Foudroyant, at sea, the 14th of March 1806.

Sir,

I request you will communicate to their lordships, that at half-past three *a. m.* on the 13th of March, his majesty's ship the London, which I had stationed to windward of the squadron, having wore, and made the signal for some strange sails, I directed the squadron to wear likewise upon the larboard tack, the wind being at W. S. W. and, as day-light appeared, made the signal for a general chase: soon afterwards the London was observed in action with a large ship and a frigate, and continued supporting a running fire with those ships, which were endeavouring to escape, until half past seven, when the Amazon, being the advanced ship, pursued also and engaged the frigate, which was attempting to bear away. The remainder of the squadron approached fast upon the enemy (and the action having continued from before day-light until forty-three minutes after nine *a. m.*); the line of battle ship, bearing the flag of a rear-admiral, struck; and at fifty-three minutes past the above hour the frigate also followed her example; when an officer came on board the Foudroyant with admiral Linois's sword, and informed me that the ships which had surrendered to his majesty's colours were the Marengo of 80 guns, 740 men, and the Belle Poule, of 40 guns, eighteen-pounders, and 320 men, returning to France from the East Indies; these ships being the remainder of the French squadron which had committed so much depredation upon the British commerce in the Eastern world. I have much satisfaction in stating the meritorious and gallant conduct of captains sir Harry Neale and William Parker, supported by the zeal and bravery of the officers and crews of their respective ships, who claim my warmest thanks and acknowledgments; and whose exertions, I hope, will recommend them to their lordships' particular notice and favour. I cannot, however, avoid regretting that the force of the enemy did not afford to the officers and men of the other ships of the squadron, who showed the most earnest desire to have closed with the enemy, an opportunity of displaying that valour and attachment to their king and country, which, I am confident, they will be happy to evince upon some future and more favourable occasion. I have inclosed a list of the killed and wounded on board his majesty's ships, as well as their defects; and have likewise forwarded a particular statement of the ships captured, together with an account of the loss sustained by the enemy, being the most correct that could be ascertained from the rolle d'équipage. Rear-adm. Linois is among the wounded, as well as several other officers.

(Signed) JOHN BORLASE WARREN.

[Here

[Here follows the return of the killed and wounded].

Foudroyant, at sea, March 13.

A list of ships belonging to the French government, captured on the 13th of March, 1806, by a squadron under the command of vice-admiral sir John Borlase Warren, bart. and K. B.

Marengo, 80 guns, 740 men, rear-admiral Linois; Vrignaud, first-capt. Chasseiau, second-capt.

Belle Poule, 40 guns, 18-pounders, 320 men, Bruillac, capt.

(Signed) J. B. Warren.

Foudroyant, at sea, March 14.

A return of the killed and wounded on board the Marengo and Belle Poule, in the action on the 13th of March, 1806.

Marengo and Belle Poule—65 killed, and 80 wounded.

(Signed) J. B. Warren.

Copy of a letter from F. L. Maitland, transmitted by admiral lord Gardner, to Wm. Marsden, esq.

Loire, at sea, April 23.

My lord,

I have to inform you, that his majesty's ship Loire, yesterday evening, in lat. 48 deg. 30 min. long. 12 deg. 0 min. captured the Princess of Peace, a very fine new Spanish privateer schooner, pierced for 14 guns, though only carrying one large 24-pounder, and 63 men; she had been out of Passage five days, on her first cruize, without having taken any thing.

I have the honour to be, &c.

F. L. Maitland.

Right hon. lord Gardner, &c.

Copy of a letter from captain G. R. Collier, commander of his majesty's ship the Minerva, to Wm. Marsden, esq. dated off Cape Finisterre, April 26.

Minerva, off Cape Finisterre, April 26.

Sir,

I have the honour to inform you, that waiting in Finisterre bay for moderate weather, and the junction of his majesty's gun-brig Conflict, lieutenant J. B. Batt, to cut out some small craft lying under the town, a French privateer lugger rounded the cape, and immediately wore, and stood to sea. At eleven P. M., after a chase of near 60 miles, she was boarded by lieutenant Batt, and proved to be the French lugger Finisterre, of 14 guns and 52 men, commanded by Mons. Michael Deure; had left Corunna that morning, had made no capture, and intended cruizing off Oporto for British convoys. I have great pleasure in stating the very active conduct of lieutenant Batt, of the Conflict, to whom I feel principally indebted for the capture of the privateer.

I have the honour to be, &c.

G. R. Collier.

7. Yesterday an overland dispatch was received at the India House, bringing intelligence down to the latter end of December. It does not appear that there was any apprehension of the tranquillity of India being soon disturbed, either by Scindia or Holkar. The following comprise the most material intelligence brought by the letters:—

"*Bombay, December* 17.

"We have just heard by a dispatch which sir Edward Pellew has received from admiral Troubridge, at Penang, dated the 5th inst. that the Cambrian arrived there the day before, having left

at Whampoo the ships mentioned in the inclosed list, viz.

"Scaleby.

"David Scott, William, Ardasor, Loujee, Elizabeth, Ganjava, Minerva, Cornwallis, Eugenia, and Castlereagh, for Bombay. And Orient, La Paix, Alexander, and Udney, for Calcutta.

"By the Cambrian, the admiral has intelligence that capt. Wood, of the Phaëton, was very much alarmed for the safety of the English supercargoes (about thirty), who had all left Mocoa the 31st of October, for Canton, and at the date of his letter he had no accounts of them: it was supposed that the Ladrones, who are in great force, had intercepted and stopped them; they had the Phaëton's launch to convey them, with a carronade and 16 men; and captain Wood had dispatched the Harrier brig, as far as she could proceed up the Inner Passage, to their assistance."

"*December* 23.

"The Ladrones are getting uncommonly bold; they attacked the Harrier brig, which sailed a few days ago by order of captain Wood, of the Phaëton, in quest of the launch with the supercargoes on board, and received such a drubbing, as it is hoped will keep their comrades in check for some time to come. As they endeavoured to force their way on board in great numbers, they were most vigorously opposed by the crew, who soon laid thirty dead upon the deck, and took several prisoners."

We are happy in being enabled to state, that accounts of a still later date have been received, which mention that the supercargoes, who it was feared had been murdered, have not so suffered. They were attacked by the Ladrones, and, after a stout resistance, taken prisoners, and plundered. They were then confined in prison, until the freebooters should have an opportunity of making proposals for their ransom.

Another letter of the 25th states:

"We are sorry to inform you of several very valuable captures having been made in the bay by the Bellona and Henrietta, almost on the cruizing ground of the Psyche, Dasher, and St. Fiorenzo; the former has taken the Princess of Wales, from the coast of Sumatra, for Bengal; and the Melville, from Calcutta, to Mascat; and the latter, the Waldegrave, from China; Commerce, from the West Coast; the Phœnix and Robust, from Calcutta to Bombay."

The Coutts, Cumberland, Hope, Easter, and Harley, sailed from Malacca, for China, on the 15th of October under convoy of the Blenheim man of war.

The Aplin joined one of the above ships, supposed the former.

The Culloden, Albion, and Sceptre, men of war, and the Seaflower brig, were cruizing off Ceylon on the 17th of December.

The Devaynes, from Madras to London, put into Penang, refitted, and sailed again; date not mentioned, but supposed in November.

Admiralty-office, May 10.

Copy of a letter from the earl of St. Vincent, K. B. admiral and commander in chief, &c. to W. Marsden, esq., dated Hibernia, off Ushant, May 3.

Sir,

I this day received the inclosed copy of a letter from lieut. Usher of the Colpoys hired brig, containing

ing his account of the capturing two chasse marées in the river Donillan.

I am, &c.

ST. VINCENT.

Colpoys hired brig, off the Glenans, April 25.

My lord,

I have the honour to acquaint your lordship, that on the 19th inst. standing along shore between the Glenans and Isle Groer, with the Attack in company, I perceived two chasse marées at anchor in the entrance of the river Donillan, and which, upon our approach, quitted their anchorage, and ran up the river. Finding it necessary to silence a two-gun battery before the boats could get to them, I landed with twelve men from each brig, and after a short skirmish got possession of, and nailed up, the guns (12-pounders); I afterwards brought the vessels down the river, and destroyed the signal post of Donillan. I am happy to acquaint your lordship that the only damage we sustained was some of our standing running rigging and sails cut.—I have to acknowledge the support I received from lieut. Swaine by his well directed fire upon the enemy's guns during the time we were reconnoitring the river and beach. I feel much obliged to Mr. Wood, assistant surgeon of the Growler, who volunteered his services, and attended the party that landed.

I have the honour, &c.

T. USHER.

Names of the captured vessels—Vincent Gabriel, and Marie Française.

Copy of a letter from Michael Novella, commander of the Felicity, private ship of war, to W. Marsden esq. dated Gibraltar, March 1.

Sir,

I beg leave to inform you, that during my last cruise to the westward, I made the following captures, viz.—The French privateer Josefine of one 18-pounder and two 9-pounder carronades, and 37 men: two Spanish gun-boats, Nos. 12 and 15, commanded by lieutenants of the navy, mounting each one 24-pounder, one 36-pounder carronade, and two swivels, and 45 men; and his majesty's late lugger Experiment, mounting four 4-pounders, and manned with 30 men.

I have the honour, &c.

his

MICHAEL ⋈ NOVELLA.

Mark.

12. About nine o'clock on Saturday night, an alarming fire broke out in Bear-alley, Fleet-market, at the house of Mr Steptoe, a butcher, who has likewise a shop in the market. The accident happened in consequence of a maid-servant imprudently leaving the candle with the children after she had put them to bed; which practice is, unfortunately, too prevalent. The girl went out for some porter, and on her return found that the flames had not only consumed the bed-curtains, but had reached the bed-room door; she made every effort to gain admission, but finding it impracticable, immediately gave the alarm, when every one became anxious for the safety of the children. All endeavours, however, to save them unfortunately proved fruitless, and the children, three of them, the eldest eleven years of age, were burnt to death. A fourth child, an infant of nine months old, was preserved

by the mother, who ran up from the market and saved her child's life at the imminent risk of her own. The appearance of the fire at the early part of its career was extremely awful, and seemed to threaten the adjoining houses with destruction; but from the timely assistance of the firemen, who exerted themselves in a becoming manner, it soon began to lose its alarming aspect. The houses on each side were much damaged, particularly Mr. Lines's, who has lost a considerable quantity of his furniture. Parties of the 3d London, and other volunteers, attended with the greatest promptitude, and were extremely useful to the distressed inhabitants.

COURT OF KING'S BENCH,
May 12.

The King v. *Isaac Alexander Cowen, James de Young, and Thomas Wildon.*

These persons had been found guilty during the sitting after last term, of assisting in the escape of two French prisoners.—They were now brought up to receive sentence, which Mr. Justice Grose pronounced nearly as follows:

"You are all of you convicted of offences so similar, that the same observations, and the same punishment, will apply to each of you. You, Thomas Wildon, were convicted of aiding and abetting in the escape of two prisoners of war from Chesterfield; and you, Isaac Alexander Cowen, and James de Young, of endeavouring to facilitate the departure of the same persons to their own country. The evidence produced at the trial, and the facts then proved, fully warranted the verdict of the jury. The notice affixed in the streets of Chesterfield, against committing such offences, ought to have deterred you; but nothing could arrest your guilty progress, and your crime has been established beyond a doubt. Your conduct has been much aggravated, Isaac Alexander Cowen, and James De Young, by the affidavits produced in mitigation of punishment, in which you have ventured to swear what we must consider to be entirely false, because it is utterly inconsistent with the verdict of the jury. Your offence approaches nearer to high treason than any other in the list of crimes; inasmuch as it supplies the enemy with the most useful engines of war, I mean, men, and prevents us from freeing our countrymen from slavery, by making an exchange of prisoners. We are sorry to see in you, T. Wildon, that the love of money has gained so great an ascendancy over your mind, as to lead you to forsake the interests of your own country; and that it should lead you Cowen and De Young to be ungrateful to that government which affords you protection. This court, taking into its consideration every circumstance of aggravation and mitigation, orders, that you do all, and each of you, be imprisoned in his majesty's gaol of Newgate for two years, and then be discharged."

13. A most daring attempt was on Sunday made to break open the shop of Mr. Priestman, jeweller and silversmith, in Princess-street, Soho. Mr. Priestman and the whole of his family left the house to go a little way out of town. From two o'clock in the afternoon till eight in the evening a number of men were observed by the neighbours lurking about the shop-door,

door, and endeavouring to break it open; but the door was so properly secured that all their exertions were baffled. Information was at length sent to the public-office, in Bow-street, when Blackman, Lavender, and Leigh, went in pursuit of the robbers. A little before nine o'clock they found the shop surrounded by five notorious housebreakers. The villains made a desperate resistance to the officers taking them into custody; but they at length succeeded in securing Edward Egerton, John Clemence, and Thomas Whitfield, three well-known characters. Yesterday they were brought to Bow-street, and underwent an examination before James Read, esq. The officers produced a bottle of phosphorus and matches, which they found upon Clemence; likewise, two iron crows and a number of pick-lock keys found near the prisoners. They were committed for further examination.

Whitehall, May 15.

A dispatch has been received at the India House from Sir G. H. Barlow, bart. dated Illahabad, December, 4, 1805, of which the following is an extract:

"I have now the honour to inform your honourable court, that on the 22d ult. a definitive treaty was concluded between the right hon. lord Lake, and the plenipotentiary agent of Dowlut Row Scindiah, upon terms which appear to me to be calculated to establish the relations of amity and concord between the two states, upon the most secure and permanent foundation.—Your honourable court will also have the satisfaction to be apprised of the expectation which I confidently entertain of a speedy and favourable termination of hostilities with Juswunt Row Holkar, and of the consequent important reduction in the military charges of the several presidencies inseparable from a state of war.—I have the satisfaction to inform your honourable court, that perfect tranquillity prevails in every quarter of the company's dominions; and I am not aware of the probability of any occurrence of a nature calculated to disturb it, or to impair the fundamental sources of the British power and prosperity in India."

Dispatches have been also received from sir G. H. Barlow, dated Illahabad, December 24, from which it appears, that, in consequence of the treaty of peace with Scindiah, and the confident expectation of a peace with Holkar, orders had been issued for the return of the troops belonging to the presidencies of Madras and Bombay, within the limits of those governments respectively, where they were to be distributed in cantonments, and placed on a peace establishment.

Admiralty-office, May 17.

Copy of a letter from vice-admiral lord Collingwood, commander in chief of his majesty's ships and vessels in the Mediterranean, to William Marsden, esq., dated on board his majesty's ship Queen, off Cadiz, the 19th of April 1806.

Sir,

I have the satisfaction to acquaint you, for the lords commissioners of the admiralty, that his majesty's ship the Renommée, captain sir Thomas Livingstone (one of the ships stationed off Carthagena for the purpose of watching the enemy's squadron), on the 4th instant captured the Spanish brig of war the Vigilante; for the particulars of which

which I refer you, sir, to the inclosed copy of captain sir Thomas Livingstone's letter.

I am, &c.

COLLINGWOOD.

His majesty's ship Renommée, at anchor, Europa Point, W. N. W. one mile, 5th April 1806.

My lord,

I informed your lordship by the Nautilus, that on the 3d inst. two Spanish ships of the line, a frigate and brig, came out of the port of Carthagena, having under their protection a few small coasters, and that the ships of the line and frigate chased us to the southward, while the brig and convoy steered along shore to the westward, the wind being north-easterly.

Finding that the Renommée had left the Spanish ships a great distance astern, I made sail as soon as it was dark for Cape de Gatte, in the hope of cutting off the brig; and in this I was not disappointed, for at two *a. m.* on the 4th inst. we saw the brig anchor under Fort Calleteres, distant from it about two cables' length.

I was prevented by baffling winds from getting up to her for three quarters of an hour; but when we did get up, her fire was soon silenced, and she was in our possession at half past three; the batteries on the shore began to fire, as soon as we were within reach, and continued doing it till we were out of their range. There were two gun-boats with the brig that fired a few shot at first; but they soon ceased, and I believe ran on the beach. The brig was in the act of warping on shore when we commenced firing; but fortunately we cut the warp, and thereby prevented her getting on shore. I am happy to say in this affair we sustained little or no damage, and had only two men wounded.

The brig proved to be the Vigilante, belonging to his catholic majesty, commanded by teniento de navio Don Joseph Julian, mounting 18 guns, viz. twelve 12-pounders, long guns, and six 24-pounders, shorter, with a crew of 109 men, and is well calculated for his majesty's service.

She had one man killed and three wounded in the fray; her mainmast went overboard soon after we took possession; and the foremast was nearly sharing the same fate. I therefore took her in tow, and bore up for this anchorage, where I arrived this day; and was the more induced to take this measure, as upon our appearance off Cape de Gatte, all the beacons towards Carthagena were fired, and I did not know how near the ships which had chased us the day before might be: I hope therefore your lordship will approve of my having so done.

I have reason to be well satisfied with my officers and crew on this occasion; their steady and well-directed fire did them great credit.

As soon as the prisoners are landed, &c. I shall return to my station.

I have the honour to be, &c.

THOS. LIVINGSTONE.

To the right hon. lord Collingwood, &c.

Copy of a letter from commodore sir Home Popham to William Marsden, esq. dated on board his majesty's ship Diadem, Table Bay, March 4, 1806.

Sir,

I beg you will do me the honour to inform my lords commissioners of the admiralty, that at nine this morning

morning a ship was discovered coming from the southward under a press of sail, and, soon after, two more; one of which the station on the Lion Rump reported to be of the line, and an enemy's ship; upon which I directed the Diomede and Leda to slip, and keep on the edge of the south-easter, which had partially set in on the east side of the bay.

At eleven the headmost ship hoisted French colours, and stood towards the Diadem; and by this time I was satisfied, from the judicious manœuvres of the ships in the offing, that they could be no other than the Raisonnable and Narcissus.

At twelve the French frigate passed within hail of the Diadem, when we changed our colours from Dutch to English, and directed her to strike; which she very properly did immediately, and I sent the hon. captain Percy, who was serving with me as a volunteer, to take possession of her. She proved to be La Volontaire; is nearly 1100 tons, and mounts 46 guns, with a complement of 360 men on board.

I congratulate their lordships that, by this capture, detachments of the queen's and 54th regiments, consisting of 217 men, who were taken in two transports in the Bay of Biscay, are restored to his majesty's service.

I have the honour to be, &c.

HOME POPHAM.

24. An unfortunate accident has happened to Mr. Charles Buxton, the celebrated charioteer, on his return from Epsom to London. Mr. Buxton in his phaëton, drawn by four horses, overtook a friend in a barouche drawn by the same number of horses; and a mutual determination being manifested to try the speed of the animals and the skill of the drivers, a race was the consequence. They proceeded on nearly equal terms until they reached Ewel, where, on turning a corner, Mr. Buxton's phaëton was upset, and he and his companion, Mr. Hugh Atkins, a Russia broker, were thrown from their seats in the carriage with such violence, that each gentleman, singular as it is, had a thigh broken, and three ribs.

DARING ROBBERY.

28. Last Wednesday night, about a quarter past ten, the long coach which conveys passengers from the Mail-coach Office, Dawson-street, Dublin, to the packets at the Pigeon-house, was stopped by ten or more persons, armed with blunderbusses, pistols, and swords, at the other side of the Canal ridge, near a lime-kiln at the Low Ground, who robbed all the passengers, about seven or eight. The villains obliged the passengers to come from the carriage, and rifled them as they came out, commanding them to turn their face to a wall that was near, immediately after plundering them, that they should not have an opportunity of observing their persons. Lord Cahir and Mr. George Latouche were two of the passengers: from his lordship they took about 400*l.* and it is said 70 guineas from Mr. Latouche. They robbed the other passengers of money, and also carried off some light packages from them. A small box, which contained some of their articles, was found next morning at the commons of Kilmainham, to which place it is supposed they retired after the robbery to divide the spoil.

29. This day seven waggons loaded

loaded with casks of specie arrived at the Bank of England, under the escort of a party of light horse. The casks contain the 400,000*l.* in dollars, sent some time since from the Bank to Hanover, and which was luckily got away before the Prussians took possession of that place.

JUNE.

DREADFUL FIRE.

5. At half past three o'clock this morning, a dreadful fire broke out at the celebrated hotel in Chandos-street, Govent-garden, called the Key. It is said to have broken out in the first floor, and to have been occasioned by the bed-curtains taking fire in a room where the candle had been left too close to the bed. Those who were ever within the hotel know how many rooms were appropriated to the purposes of sleeping. Indeed the whole house was nearly composed of bed-rooms. It was most superbly furnished—every thing that expense could apply in the furnishing of bed-rooms was to be found in it—the drapery of the beds all festooned and constructed à l'Egyptienne—the hanging of the window-curtains, the elegance of the other furniture, the largeness of the glasses, the quantity of plate, every thing was calculated to dazzle the eye, as well as to enchant the senses. In a house so full of such furniture, our readers will judge how rapid and devouring must be the progress of a fire. In a short time the flames caught every part of the lower rooms. To save the furniture was found to be impossible—little or none was saved—To save the lives of the temporary inhabitants of the hotel, was all that could be done, and that, we lament to say, was not entirely effected. There were about 60 persons in the house, an equal number, as our readers may conjecture, of ladies and gentlemen. On the first alarm of fire, the apartments, most of which were locked inside, were forced. Some of the persons had just retired to bed—Judge of their consternation to be awakened by men forcing the doors. If upon such a subject any levity could be indulged, it may well be supposed that some curious scenes took place. All jumped out of bed, and, without waiting to dress themselves, attempted to hurry out of the house. The rooms are so many, that some, instead of going down stairs, got into the other bed-rooms. Few of the ladies or gentlemen had time to get on their clothes, but ran into the streets nearly naked. The houses in the neighbourhood were open to receive them, and we may guess the confusion which some would feel in being obliged to send home for fresh clothes.

The engines arrived in good time, and were well played; but the fire had reached such a height that it could not be stopped till it had consumed the whole of the inside, leaving nothing but the bare walls standing.—One gentleman, beyond the middle age, was burned to death. It is said that he had made his escape, but that he went back to fetch away his partner, when, surrounded and caught by the flames, he was unable to return.

TRIAL OF LORD MELVILLE.

12. This day, the seventeenth of the trial, as soon as the lord chancellor had taken his seat at the table; he put the following question

to

to the junior baron:—"Charles, lord Granard, how say you, is Henry lord viscount Melville guilty or not guilty of the first article of charge exhibited against him by the commons of the united kingdom?" Upon which lord Granard rose, and, laying his right hand upon his breast, exclaimed, "Not guilty, upon my honour."—The same question was then put to the remainder of the peers, according to their respective ranks; and after the question had been repeated by the chancellor upwards of 1300 times, the guilties and the not guilties stood as follows.

	Guilty.	Not guilty.	Major.
First charge	15	120	105
Second	54	81	27
Third	52	83	31
Fourth	None	125	—
Fifth	3	131	128
Sixth	47	83	36
Seventh	50	85	35
Eighth	14	121	107
Ninth	14	121	107
Tenth	11	121	110

The dukes of York, Cumberland, and Cambridge, and the duke of Gloucester, generally voted Not guilty; and the dukes of Clarence, Kent, and Sussex, generally Guilty, except on the 4th article. The lord chancellor, and lords Ellenborough and Sidmouth, generally voted with the dukes of Clarence, Kent and Sussex.

Admiralty-office, June 14.

Copy of a letter from vice-admiral Dacres, commander in chief of his majesty's ships and vessels at Jamaica, to William Marsden, esq. dated at Port-royal, April 1, 1806.

Sir,

I have great pleasure in transmitting, for the information of the lords commissioners of the admiralty, copies of two letters received from captain Ross, of his majesty's ship Pique: the brigs appear very well adapted for his majesty's service, and not more than nine months old: if found adequate thereto by the officers of the yard, I shall direct them to be purchased, and intend giving lieut. Ward the command of one, as a commander, till the pleasure of their lordships is known, who, I am sure, will highly approve of his conduct in boarding and carrying the armed schooner Santa Clara, and it will in some degree alleviate the very severe wound he has received in boarding the French brig of war.

I am, &c.

(Signed) J. R. Dacres.

His majesty's ship Pique, off Ocoa bay, March 17.

Sir,

I have the honour to inform you, that lieutenant Ward of his majesty's ship under my command, in the gig, assisted by Mr. Eveleigh (midshipman) in the yawl, most gallantly boarded and succeeded in capturing, after a very smart resistance, (and without loss on our side,) the Spanish armed schooner Santa Clara, of one nine-pounder, and 28 men, completely equipped for war.

I have the honour to be, &c.

C. B. H. Ross.

To Rich. Dacres, esq. vice-adm. of the white, &c.

His majesty's ship Pique, off St. Catherine's, March 27.

Sir,

I have the honour to inform you, that yesterday, crossing over from Santo Domingo to Curacoa, I fell in with two men of war brigs, standing in for the land: at one

p. m. being within long range, I commenced firing to prevent their getting in with the shore, and from superior sailing closed with them at two, when a most destructive fire continued for about twenty minutes; but a flaw of wind favouring us, the helm was put down, which placed us immediately across the hawse of the commodore; she was directly boarded by lieutenants Ward and Baker, and Mr. Thompson, and every inch of her decks most obstinately defended; the slaughter on both sides was dreadful, and it is with real concern I state the loss of Mr. John Thompson, the master, who was killed with eight seamen; and lieutenants Ward and Baker, with twelve seamen and marines, wounded: the contest was very severe, but in about five minutes the colours were hawled down; the other struck after a few broadsides more, and we took possession of the Phaëton and Voltigeur, of 16 guns and 120 men each, French brigs of war, beautiful vessels, and only nine months old. It was impossible for two vessels to be more obstinately defended, every thing being cut to pieces, and nearly one half their crews killed or wounded. I understand they had been roughly handled by an English man of war brig (Rein Deer) the day before. I beg leave to recommend to your notice my first-lieutenant Ward, whose good conduct at all times has merited the highest approbation; he is, I am afraid, dangerously wounded. The death of Mr. Thompson I most sincerely lament; in him, his country has lost a brave and most excellent officer; he is the same so handsomely spoken of by captain Bissett in the Racoon; he has left a wife to lament his loss, and almost a stranger in this country. The wound of lieutenant Baker, I rejoice to say, will only lay him up for a short time. The assistance I received from lieutenant Craig of the royal marines (who is also wounded) and his party deserves the highest praise, for the steady and well directed fire kept up by them, and their soldier-like behaviour at all times. We had only one man wounded on board, all the others were killed and wounded on the brigs' decks. The ship's company behaved uncommonly well, and I trust the conduct of all will merit your approbation.

I have the honour to be, &c.

CHARLES B. H. ROSS.

James Richard Dacres, esq. &c.

Le Phaëton, 16 guns, 120 men, Freyanet, lieutenant de vaisseau.

Le Voltigeur, 16 guns, 115 men, M. St. Craig, lieutenant de vaisseau.

I beg leave to inclose you a list of the killed and wounded on board his majesty's ship under my command. I have had no account from the prizes, but their loss has been very great. The commodore has lost his right arm.

CHARLES B. H. ROSS.

List of officers, seamen, and marines killed and wounded on board his majesty's ship Pique, Charles B. H. Ross, esq. capt. in action with the French national brigs Le Voltigeur and Phaëton, on the 26th day of March, 1806.

Killed.—Mr. John Thompson, master; Alexander Mackintosh, yeoman of the sheets; Matthew Meyler, able seaman; Cornelius Carmody (1), landman; Thomas Watkins, second gunner; Thomas Reid, landman; Jacob Reid, able seaman; James Shaw, landman; George Collier, supernumerary.

Wounded.

Wounded.—Mr. William Ward, first-lieut.; Mr. P. H. Baker, third-lieut.; Mr. W. H. Craig, lieut. of marines, slightly; William Marshal, boatswain's mate; James Mills, able seaman; Thomas Scott, ordinary seaman; Ralph Harrison, able seaman; William Pickoran, able seaman; Bryan White, quarter-master; Daniel Hall, able seaman; Christopher Hake, supernumerary; William Carnes, private of marines; Jos. Wright, ditto; Henry Davies, ditto. Total—9 killed and 14 wounded.

Copy of another letter from vice-admiral Dacres to William Marsden, esq. dated at Port Royal, April 27, 1806.

Sir,

I have much pleasure in inclosing, for their lordships' information, the copy of a letter I have received from capt. Fyffe, of the Rein Deer, acquainting me of the capture of the French privateer schooner, La Creole, a vessel that has been a great annoyance in and about the Passages, and had avoided capture by the cruizers that have fallen in with her, by superior sailing.

I am, &c.

J. R. Dacres.

His majesty's sloop Rein Deer, at sea, off Cape San Nicholas, St. Domingo, 21st of April, 1806.

Sir,

I am much gratified in having to acquaint you, that this morning, after a short chase, I captured the French schooner privateer La Creole, pierced for 14 guns, but had only 6 mounted, besides swivels. Her complement of men appears to have been 75, but only 59 were found on board, the rest being absent in prizes. The Creole is about ninety tons burden, is a very fine vessel, and said to be the fastest sailer that has been in these seas: I am satisfied we never could have taken her, had not the commander been so confident of her speed, as to persevere till near under our bow, in endeavouring to gain the wind of us.

I have the honour to be, &c.

(Signed) John Fyffe.

James Richard Dacres, esq.

&c. &c. Jamaica.

Copy of a letter from commodore sir Home Popham to William Marsden, esq. dated on board his majesty's ship the Diadem, in Table Bay, the 24th of March, 1806.

Sir,

I have the honour to inclose to you, for the information of my lords commissioners of the admiralty, a list of ships and vessels taken, retaken, and destroyed, by the squadron I have the honour to command.

I have the honour to be, &c.

Home Popham.

The list consists of five French vessels, two Spanish, one Batavian, and two English retaken.

[This gazette also contains an order in council for allowing friendly and neutral nations to trade to the Cape of Good Hope; prohibiting, however, the importation of Asiatic goods or military stores, except by the India company, and restricting exports generally without license].

Downing-street, June 23.

CALCUTTA GAZETTE EXTRAORDINARY.

Fort William, Jan. 27, 1806.

A dispatch, of which the following

ing is a copy, has been received from the honourable the governor-general, by the honourable vice-president in council, and is now published, together with the treaty concluded between the honourable company and Maharajah Dowlut Row Scindiah, on the 22d of November, 1805, with the declaratory articles annexed to it, for general information.

The hon. G. Udney, vice-president in council.

Hon. sir,

1. In my dispatch of the 5th ultimo, I had the honour to transmit the copy of the treaty concluded with Dowlut Row Scindiah by the right hon. lord Lake, on the 22d of November, under my instructions, by which all differences between the British government and Dowlut Row Scindiah had been satisfactorily adjusted. I also transmitted a copy of declaratory articles which I judged to be proper to annex to the treaty, and which I desired his lordship to transmit to Dowlut Row Scindiah.

2. I have already had the honour to apprise you of my having received from the right hon. lord Lake, official information of the arrival in his lordship's camp of a copy of the treaty duly ratified by that chieftain, with a slight modification of the 6th article. I request that you will be pleased to direct the immediate publication of the treaty and of the declaratory articles annexed to it, for general information.

3. I consider it necessary to postpone this measure until the receipt of the declaratory articles ratified by Dowlut Row Scindiah, as the object of those articles is to relinquish some of the concessions which Dowlut Row Scindiah had voluntarily proposed, and consequently the mere delivery of the declaratory articles to that chieftain, will answer the purpose for which they were framed.

Your faithful servant,

(Signed) G. H. Barlow.

On the river near Rajmahi,
January 21, 1806.

Definitive treaty of amity and alliance between the honourable the English East India company and the Maharajah Ali Jah Dowlut Row Scindiah Bahadur, and his children, heirs and successors.

Whereas various doubts and misunderstandings have arisen respecting the clear meaning and interpretation of parts of the treaty of peace concluded between the British government and Dowlut Row Scindiah at Serjee Anjengaum, on the 30th of December, 1803; with a view of doing away all such doubts, and of preventing the recurrence in future of any misunderstanding, this definitive treaty of amity and alliance is concluded between the two states, by lieut.-col. John Malcolm, acting under the immediate direction and superintendance of the right hon. general Gerard lord Lake, commander in chief of his majesty's and the honourable company's forces, &c. &c. &c. and vested with full powers and authority from the honourable sir George Hilaro Barlow, baronet, appointed by the honourable the court of directors of the said company to control and direct all their affairs in the East Indies: and Moonshee Kavil Nyne, vested with full powers and authority on the part of the said Maharajah Dowlut Row Scindiah.

Article I.—Every part of the treaty of peace concluded by general sir Arthur Wellesley, K. B.

at

at Serjee Anjengaum, except what may be altered by this engagement, is to remain binding upon the two states.

Art. II.—The honourable company can never acknowledge that Dowlut Row Scindiah has any claim or right grounded on the treaty of Serjee Anjengaum to possess the fort of Gualior, or the territories of Gohud; but from considerations of friendship, it agrees to cede to the maharajah that fortress, and such parts of the territory of Gohud as are described in the accompanying schedule.

Art. III.—As a compensation for this cession, and to remunerate the English government for the annual expense incurred in supporting the ranah of Gohud, Dowlut Row Scindiah agrees on his own part, and that of his sirdars, to relinquish, after the 1st of Jan. 1806, all right and claim whatever to the pensions of fifteen lacks of rupees, granted to several of the chief officers of his state by the 7th article of the aforesaid treaty of Serjee Anjengaum.

Art. IV.—The honourable company agree to pay to Dowlut Row Scindiah the arrears due upon the pensions granted by the 7th article of the treaty of peace, as above mentioned, up to the 31st of December 1805, and also the balance due upon the revenues of Dholepoor, Rajah-Kerrah and Barree, up to the same date, making deductions on the following heads:

1st. Pensions forfeited by Bappoo Scindiah and Sudasheo Row, by acts of hostility towards the British government, to be stopped from the date of their hostility.

2d. Plunder of the British residency.

3d. Cash advanced by Mr. Jenkins to parties of the maharajah's troops.

4th. Charges of collection, &c. for the provinces of Dholepoor, Barree, and Rajah-Kerrah.

Art. V.—With a view of preventing any misunderstanding relating to their respective possessions in the quarter of Hindostan, it is agreed that the river Chumbul shall form the boundary between the two states, from the city of Kottah to the west, to the limits of the territories of Gohud to the east; and within that extent of the course of the Chumbul, Dowlut Row Scindiah shall have no claim or right to any rule, tribute, revenues, or possessions on its north bank, and the honourable company shall have no claim or right to any rule, tribute, revenues or possessions on the south bank of that river. The talooks of Bhadek and Sooseperarah, which are on the banks of the Jumna, will however remain in the possession of the honourable company.

Art. VI.—By the 5th article of this treaty, which makes the river Chumbul the boundary of the two states, from the city of Kottah to the west, to the limits of the territories of Gohud to the east, the maharajah resigns all pretensions and claims to any tribute from the rajah of Boondee, or any other on the north bank of the Chumbul, within the aforementioned limits, as also to the countries of Zemeendah, Dholepoor, Rajah-Kerrah, and Barree, antiently in the possession of the maharajah, all which now remain in the possession of the honourable company.

Art. VII.—The honourable company, on consideration of the benefits derived from the article which makes the Chumbul the boundary between the two states, and from friendship to the maharajah, agree to grant to him personally and exclusively the an-

nual sum of four lacks of rupees, to be paid by quarterly instalments through the resident at the Durbar; and the honourable company also agree to assign within their territories in Hindostan, a jaggeer, (to be holden on the same footing as that enjoyed by Balla Bhye,) amounting to a revenue of two lacks of rupees per annum, to Baeezah Bhye, the wife of Dowlut Row Scindiah, and a jaggeer, amounting to the sum of one lack of rupees per annum, to Chumnah Bhye, the daughter of that chief.

Art. VIII.—The honourable company engage to enter into no treaties with the rajahs of Oudeepoor and Joudpoor and Kottah, or other chiefs, tributaries of Dowlut Row Scindiah, situated in Malwa, Mewar, or Marwar, and in no shape whatever to interfere with the settlement which Scindiah may make with those chiefs.

Art. IX.—The honourable company are now engaged in a war with Jeswunt Rao Holkar, and using every exertion for his reduction; but should they hereafter make a peace, or enter into any agreement with that chief, they engage not to restore to him, or desire to be restored to him, any of the possessions of the family of Holkar, in the province of Malwa, lying between the river Tapti and Chumbul, which may have been taken by Dowlut Row Scindiah, nor will the honourable company interfere in any manner whatever in the disposal of those provinces; and they will consider Dowlut Row Scindiah at full liberty to make such arrangement as he chooses with Jeswunt Rao Holkar, or with any other branch of the Holkar family, respecting the claims of that family to tribute from the rajahs or others, or to any possessions situated to the north of the river Tapti, and to the south of the river Chumbul: but it is clearly to be understood, that as the company's government agrees not to concern itself with the arrangements which Scindiah may make with the family of Holkar, respecting their claims or hereditary possessions situated between the Tapti and the Chumbul, that government will not take part in any dispute or war which may be the result or consequence of any such arrangement or settlement.

Art. X.—As Serjee Rao Ghautka has acted in a manner calculated to disturb the friendship between the two states, the maharajah agrees never to admit that chief to share in his councils, or to hold any public employment under his government.

Art. XI.—This treaty, consisting of eleven articles, has been this day settled by lieut.-col. Malcolm, acting under the directions of the right hon. lord Lake, on the part of the hon. company, and by Moonshee Kavil Nyne, on the part of Dowlut Row Scindiah; lieut.-col. John Malcolm has delivered one copy thereof in Persian and English, signed and sealed by himself, to the said Moonshee Kavil Nyne, to be forwarded to the maharajah Dowlut Row Scindiah, and has received from the said Moonshee Kavil Nyne a counterpart of the said treaty, signed and sealed by the said Moonshee. Lieut.-col. John Malcolm engages that a copy of the said treaty, ratified by the honourable the governor-general, in every respect a counterpart of the treaty now executed by himself, shall be delivered to Moonshee Kavil Nyne, to be forwarded to the maharajah, within

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in the period of one month from this date; and on the delivery of such copy to the maharajah, the treaty executed by lieut.-col. John Malcolm, under the immediate direction of the right hon. lord Lake, shall be returned: and Moonshee Kavil Nyne in like manner engages, that another copy of the said treaty, ratified by the maharajah Ali Jah Dowlut Row Scindiah, in every respect a counterpart of the treaty now executed by himself, shall be delivered to lieut.-col. John Malcolm, to be forwarded to the honourable governor-general, within the period of one month from this date; and on the delivery of such copy to the honourable the governor-general, the treaty executed by Moonshee Kavil Nyne, by virtue of the full powers and authority vested in him, as above mentioned, shall also be returned.

Done at Mustafahpoor, this 22d day of November, Anno Domino 1805, or 29th of Shaban, in the year of the Hijerah 1220.

(Signed) JOHN MALCOLM.
KAVIL NYNE.

Declaratory articles annexed to the treaty concluded between the right honourable lord Lake on the part of the honourable company, and maharajah Dowlut Row Scindiah, on the 22d of November, 1805.

Whereas objections have arisen to the terms of the 5th, 6th, and 7th articles of the aforesaid treaty, it is hereby agreed and declared, that in lieu of those three articles the two following shall be substituted.

Article I.—With a view to prevent any misunderstanding relating to the respective possessions of the honourable company and maharajah Dowlut Row Scindiah, in the quarters of Hindostan, the maharajah hereby agrees to cede to the honourable company all the territory north of the river Chumbul, which was ceded to the maharajah by the 7th article of the treaty of Serjee Anjengaum, that is to say, the whole of the districts of Dohlepoor, Barree and Rajah Kerrah; and the honourable company shall have no claim or right to any rule, tribute or revenues, or possessions on the south bank of that river. The talooks of Bhadeck and Sooseperarah, which are on the banks of the Jumna, will however remain in the possession of the honourable company.

Art. II.—The honourable company, from friendship to the maharajah, agree to grant to him personally and exclusively the annual sum of four lacks of rupees, to be paid by quarterly instalments, through the resident at the Durbar; and the honourable company also agree to assign within their territories in Hindostan, a jaggeer (to be holden on the same footing as that enjoyed by Bhalla Bhye) amounting to a revenue of two lacks of rupees per annum, to Baeezah Bhye, the wife of Dowlut Row Scindiah; and a jaggeer amounting to one lack of rupees per annum to Chumnah Bhye, the daughter of that chief.

Done at Illahabad, this 3d day of December, 1805.

(Signed) G. H. BARLOW.

Published by order of the honourable the vice-president in council.

T. BROWN, acting chief sec. to the government.

Fort William, Feb. 5, 1806.

A dispatch, of which the following is a copy, has been this day received from the honourable the governor-general, by the honour-

able the vice-president in council, and is now published, together with the treaty concluded between the British government and Jeswunt Rao Holkar, on the 24th of December, 1805, and the declaratory articles annexed to it, for general information.

To the honourable George Udney, esq. vice-president in council.

Honourable sir,

My separate dispatch of this date conveys a copy of a treaty of peace and amity concluded by the right hon. lord Lake, with Jeswunt Rao Holkar, on the 24th of December, 1805, under my instructions, together with a copy of a declaratory article, which, on the ground stated in that dispatch, I deemed it expedient to annex to the treaty.

2. The treaty having been duly ratified by Jeswunt Rao Holkar, I request that you will be pleased to direct the immediate publication of it, and of the declaratory articles annexed to it, for general information.

3. I consider it necessary to postpone this measure until the receipt of the declaratory article ratified by Jeswunt Rao Holkar, as it contains a relinquishment of the concessions made by that chieftain, under the second article of the treaty, without requiring any equivalent, and consequently the mere delivery of the declaratory article to Jeswunt Rao Holkar will answer the purpose for which it was framed.

I have the honour to be,

(Signed) G. H. Barlow.

On the River, Feb. 2, 1806.

Treaty of peace and amity between the British government and Jeswunt Rao Holkar.

Whereas disagreement has arisen between the British government and Jeswunt Rao Holkar, and it is now the desire of both parties to restore mutual harmony and concord, the following articles of agreement are therefore concluded between lieut.-col. John Malcolm, on the part of the honourable company, and Sheikh Hubeeb Oolla and Bala Ram Seit, on the part of Jeswunt Rao Holkar; the said lieut.-col. John Malcolm having special authority for that purpose from the right hon. lord Lake, commander in chief, &c. &c.; his lordship aforesaid being invested with full powers and authority from the hon. sir. G. H. Barlow, bart., governor-general, &c. &c. and the said Sheikh Hubeeb Oolla and Bala Ram Seit also duly invested with full powers on the part of Jeswunt Rao Holkar.

Article I.—The British government engages to abstain from all prosecution of hostilities against Jeswunt Rao Holkar, and to consider him henceforth as the friend of the honourable company; Jeswunt Rao Holkar agreeing on his part to abstain from all measures and proceedings of a hostile nature against the British government and its allies, and from all measures and proceedings in any manner directed to the injury of the British government or its allies.

Art. II.—Jeswunt Rao Holkar hereby renounces all right and title to the district of Tonk Rampoorah, Boondee, Lakherie, Sumeydee, Bhamungaun, Daee, and other places north of the Boondee Hills, and now in the occupation of the British government.

Art. III.—The honourable company hereby engage to have no concern with the antient possessions of the Holkar family in Mewar, Malwa, and Harrowtee, or with

with any of the rajahs situated to the south of the Chumbul; and the honourable company agree to deliver over immediately to Jeswunt Rao Holkar such of the antient possessions of the Holkar family in the Dekhan, now in the occupation of the honourable company, as are south of the river Tapti, with the exception of the fort and pergunnah of Chandore, the pergunnahs of Ambar and Seagham, and the villages and pergunnahs situated to the southward of the Godavery, which will remain in possession of the honourable company. The honourable company, however, in consideration of the respectability of the Holkar family, further engage, that in the event of the conduct of Jeswunt Rao Holkar being such as to satisfy that state of his amicable and peaceable intentions towards the British government and its allies; it will, at the expiration of eighteen months from the date of this treaty, restore to the family of Holkar the fort of Chandore and its district, the pergunnahs of Ambar and Seagham, and the districts formerly belonging to the Holkar family, situated to the south of the Godavery.

Art. IV.—Jeswunt Rao Holkar hereby renounces all claims to the district of Koonch, in the province of Bundlecund, and all the claims of every description in that province; but in the event of the conduct of Jeswunt Rao Holkar being such as to satisfy the British government of his amicable intentions towards that state and its allies, the honourable company agree, at the expiration of two years from the date of this treaty, to give the district of Kooneh in jagghire to Beemah Bhye, the daughter of Jeswunt Rao Holkar, to be holden under the company's government on the same terms as that now enjoyed by Bhalla Bhye.

Art. V.—Jeswunt Rao Holkar hereby renounces all claims of every description upon the British government and its allies.

Art. VI.—Jeswunt Rao Holkar hereby engages never to entertain in his service Europeans of any description, whether British subjects or others, without the consent of the British government.

Art. VII.—Jeswunt Rao Holkar hereby engages not to admit into his council or service, Serjee Rao Ghautka, as that individual has been proclaimed an enemy to the British government.

Art. VIII.—Upon the foregoing conditions, Jeswunt Rao Holkar shall be permitted to return to Hindostan without being molested by the British government, and the British government will not interfere in any manner in the concerns of Jeswunt Rao Holkar. It is however stipulated, that Jeswunt Rao Holkar shall, immediately upon this treaty being signed and ratified, proceed towards Hindostan by a route which leaves the towns of Putteala Khytult, Iheend, and the countries of the honourable company and the rajah of Jypoor, on the left; and Jeswunt Rao Holkar engages on his route to make his troops abstain from plunder, and that they shall commit no act of hostility in any of the countries through which they may pass.

Art. IX.—This treaty, consisting of nine articles, being this day settled by lieut.-col. John Malcolm on the part of the honourable company, and by Sheikh Hubeeb Oolla and Bala Ram Seit on the part of Jeswunt Rao Holkar; lieut.-col. John Malcolm has delivered one copy thereof in Persian and

English, signed and sealed by himself, and confirmed by the seal and signature of the right hon. lord Lake, to the said Sheikh Hubeeb Oolla and Bala Ram Seit, who on their part have delivered to lieut.-col. John Malcolm a counterpart of the same, signed and sealed by themselves, and engage to deliver another copy thereof, duly ratified by Jeswunt Rao Holkar, to the right hon. lord Lake, in the space of three days, the said lieut.-col. John Malcolm also engaging to deliver to them a counterpart of the same, duly ratified by the honourable the governor-general in council, within the space of one month from this date.

Done in camp at Raipoor Ghaut, on the banks of the Bheah river, this 24th day of December, Anno Domini 1805, corresponding with the second of Shawaul in the year of the Hijerah 1220.

(Signed) JOHN MALCOLM.
SHEIKH HUBEEB OOLLA.
BALA RAM SEIT.

Declaratory articles annexed to the treaty of peace and amity, concluded between the British government and maharajah Jeswunt Rao Holkar, through the agency of the right honourable lord Lake, on the 24th of December, 1805.

Whereas by the 2d article of the above-mentioned treaty, maharajah Jeswunt Rao Holkar renounces all right and title to the districts of Tonk Rampoorah, Boondee, Lakherie, Sumeydee, Bhamungaun, Daee, and other places north of the Boondee Hills, and now in the occupation of the British government: and whereas it has been understood that the maharajah attaches great value to the district of Tonk Rampoorah and other districts in that vicinity, which constituted the antient possessions of the Holkar family; and the relations of amity and peace being now happily restored between the British government and maharajah Jeswunt Rao Holkar, the British government is desirous of gratifying the wishes of the maharajah to the utmost practicable extent, consistent with considerations of equity, and of manifesting its solicitude to cultivate the friendship and good will of the maharajah: therefore the British government thereby agrees to consider the provisions of the 2d article of the treaty aforesaid, to be void and of no effect, and to relinquish all claim to the districts of Tonk Rampoorah, and such other districts in their vicinity as were formerly in the possession of the Holkar family, and are now in the occupation of the British government.

Done on the river Ganges, the 2d day of February, 1806.

(Signed) G. H. BARLOW.

Published by order of the hon. vice-president in council.

T. BROWN, acting chief sec. to the government.

JULY.

Downing-street, July 2.

The king has been graciously pleased to appoint Dupré earl of Caledon to be his majesty's governor and commander in chief in and over the castle, town and settlement of the Cape of Good Hope.

Admiralty-office, July 5.

Copy of a letter from vice-admiral the right hon. lord Collingwood, commander in chief, &c. in the Mediterranean,

Mediterranean, to W. Marsden, esq. dated on board the Ocean, off Cadiz, May 29.

Sir,

I inclose to you, for the information of the lords commissioners of the admiralty, a copy of a letter which I have this day received from capt. Prowse, detailing the proceedings of his majesty's ship the Sirius, in an encounter he had with a very formidable flotilla of the enemy off the Tiber, in which the commander of it was captured. The exertion and zeal of capt. Prowse has on every occasion been distinguished, and highly honourable to himself; on this he has performed an important service, in disabling so formidable a flotilla of the enemy. I also inclose a list of the enemy's vessels, and of the killed and wounded on board the Sirius.

I am, &c.

COLLINGWOOD.

His majesty's ship Sirius, Malta, April 29.

My lord,

Being six or seven leagues to the eastward of Civita Vecchia on the 17th instant, at two P. M. I gained intelligence that a French force was to have sailed that morning from thence, and were to proceed to Naples. I crowded a press of sail in the same direction; and at a quarter past four they were seen from the mast-head near shore. On closing with them just after sunset, I had the satisfaction of seeing one ship, three brigs (corvettes), and five heavy gun-vessels, (a list of which is annexed), formed in a compact order of battle, within two leagues of the mouth of the Tiber, and near a dangerous shoal, lying-to, with a resolution to await our attack. At seven, within pistol-shot, commenced firing with vigour on both sides, and continued closely engaged with the squadron for two hours, when the commodore, in the ship, hailed "he had surrendered." His gallant and determined resistance, together with the dangers of the shore, and the crippled condition of his majesty's ship (the smoothness of the water admitting the enemy to use their guns with the greatest effect), prevented me from pursuing the remainder of the flotilla, although several were much disabled, and compelled, a short time before the ship struck, to cease firing, and make off. Had it been day-light, I have no doubt, from the firm and gallant conduct evinced by the officers and ship's company, that we should have succeeded in capturing more of the enemy's vessels. I have deeply to lament the loss of my nephew, the only officer, and eight seamen and marines killed in the above contest; and three officers and seventeen seamen and marines wounded, nine of whom are in a very dangerous state. The ship captured is called La Bergere, mounts eighteen long 12-pounders, manned with 189 men, and was commanded by Chaney Duolvis, capitaine de frégate, and commodore of the flotilla, and belonging to the Legion of Honour. She is a remarkably fine vessel, sails well, and is fit for his majesty's service.

I beg particularly to recommend to your lordship's notice lieutenant William Hepenstall, who was the senior lieutenant in the actions of the 22d of July and 21st of October, and who has been in the ship nearly five years, as an officer deserving promotion. The gallantry and good conduct of the other officers and ship's company like-

wise deserves my warmest acknowledgments.

I inclose lists of the killed and wounded; and have the honour to be, &c.

W. Prowse.

The right hon. lord Collingwood, commander in chief.

List of the enemy's force opposed against his majesty's ship Sirius.

Ship La Bergere, of 18 twelve-pounders, 1 thirty-pounder carronade, and 189 men.

Brig L'Abeille, of 18 nine-pounders, 2 thirty-six-pounder carronades, and 160 men.

Brig La Legere, of 12 nine-pounders.

Brig Le Janus, of 12 nine-pounders.

Bombard La Victoire, of 12 eighteen-pounder carronades, and 2 sixty-eight-pounder carronades.

Cutter La Gauloise, of 4 four-pounders and 1 thirty-six pounder carronade.

Gun-ketch La Jalouse, of 4 four-pounders and 1 thirty-six pounder carronade.

Gun-ketch La Gentille, of 4 four-pounders and 1 thirty-six pounder carronade.

Gun-ketch La Provençale, of 4 four-pounders and 1 thirty-six pounder carronade.

List of killed on board the Sirius.

Mr. William Adair, master's-mate; Richard Berry, able; George Wyatt, quarter gunner; Edward Mooney, ordinary; Neil M'Cormack, able; Joseph Bray, armourer; Edward Nott, private marine; John Reed, ditto; Charles Bommell, ditto.

List of wounded on board the Sirius.

Mr. James Brett, acting master, slightly; Mr. Meyricke Lloyd, midshipman, badly; Mr. John Robinson, master's mate, ditto; James Bartlett, carpenter's crew, ditto; Thomas Herbett, ordinary, ditto; William Thomas, landman, badly; John Horrell, ordinary, ditto; John Drennon, landman, ditto; Richard Johnson, able, slightly; Edward Clark, quarter-master, since dead; John Shea, able, slightly; John Cornish, able, ditto; John Dunn, purser's steward, ditto; William Phipps, ordinary, ditto; Charles Jackson, able, Thomas Burgess, private marine, ditto; Peter Scott, private marine, slightly; Joel Franklin, private marine, badly; John M'Dermott, private marine, slightly; Thomas Chidlow, private marine, ditto.

W. Prowse.

Admiralty-office, July 5.

Copy of another letter from vice-admiral lord Collingwood to Wm. Marsden, esq. dated on board the Ocean, off Cadiz, 5th of June 1806.

Sir,

I inclose, to be laid before the lords commissioners of the admiralty, a copy of a letter which I have this day received from capt. sir T. Livingstone, bart. giving an account of the capture, on the morning of the 4th ultimo, of his catholic majesty's schooner the Giganta, having been boarded in a very gallant manner, and brought out from under the guns of the town and tower of Vieja, by the boats of the Renommée and Nautilus, under the direction of lieutenant sir William Parker, bart.

I also inclose a copy of the return of wounded on this occasion.

I am, &c.

Collingwood.

Renom-

Renommée, off Cape Palos, May 4th, 1806.

My lord,

I have the honour to inform your lordship, that this morning about one A. M. the boats of the Renommée and Nautilus, under the direction of lieutenant sir William Parker, of this ship, gallantly boarded, carried, and brought out from under the fire of the guns of the town and Torre de Vieja, and also from under the fire of more than one hundred musketeers, his catholic majesty's schooner Giganta, of nine guns, viz. 2 twenty-four-pounders, and 3 four-pounders, long guns, and 4 four-pounders, swivels, commanded by alfierez de navio Don Juan de Moire, with a crew of thirty-eight men. The 2 twenty-four pounders are in her bow, and she is, in my opinion, very fit for his majesty's service, particularly at Gibraltar.

The officers who gallantly supported sir William Parker were, Mr. Charles Adams, lieutenant; Mr. Henry Meereton, lieutenant of royal marines, and Mr. Timothy Murray, boatswain of the Renommée; Mr. Alexander Nesbett, lieut., and Mr. Dawson, carpenter of the Nautilus: and when it is considered this schooner was moored with a chain, within half pistol shot of the shore, had boarding nettings up, and that she was in every respect prepared to receive our boats, as were also the batteries and musketeers, too much praise cannot be given to the officers and men employed on the enterprise, and I am confident their conduct will meet your lordship's approbation.

In this affair Mr. Charles Forbes, midshipman, and three men were badly wounded, and three others slightly; their names are herewith inclosed.

The enemy had nine men wounded, one of them mortally, the others severely—there were none killed on either side.

I have the honour to be, &c.

T. LIVINGSTONE.

The right hon. lord Collingwood, &c. &c. &c. Mediterranean.

Return of the killed and wounded in the boats of the Renommée and Nautilus, in cutting out the Giganta Spanish schooner, May the 4th, 1806.

Renommée.—None killed.

Wounded—Mr. Charles Forbes, midshipman; William Hollingsworth, seaman, badly; George Hynes, slightly.

Nautilus.—None killed.

Wounded—James Brenton, badly; Peter Coulson, ditto; Jonathan Crabtree, slightly; William Wilkinson, ditto.

(Signed) T. LIVINGSTONE, senior officer.

COURT OF KING'S BENCH, JULY 6.

Sittings after term, before lord Ellenborough and a special jury.

The King v. *Milner and others.*

This was an indictment against the rev. Mr. Milner, a titular bishop of the Romish church, the rev. Mr. Wheeler, a clergyman of the same faith, Mr. Gadd, a surveyor, and miss Gadd, his sister, for unlawfully conspiring together to prevent the marriage of Mr. Taylor, a surgeon at Islington, with miss Pike, a young lady of fortune, after the marriage deeds were drawn, the wedding clothes bought, and every preliminary settled.

It appeared, from the statement of the learned counsel, and the evidence of the prosecutor, that the defendant Milner, the guardian of miss

miss Pike, was charged with having exercised an undue influence over her, in order to prevent her marrying the prosecutor; and that he had told her that she could not in honour marry him, as he had courted and engaged himself to miss Gadd.—Against Mr. Wheeler it was alleged, that he had used his authority as father confessor to miss Pike, for the purpose of persuading her of the unlawfulness of her proposed marriage with Mr. Taylor; and with regard to Mr. and miss Gadd, they were accused of having given currency to the report which had induced miss Pike to refuse the hand of the prosecutor. It was manifest, upon the evidence of the prosecutor himself, that he had paid his addresses to miss Gadd, and had quitted her for the pursuit of miss Pike.

Lord Ellenborough observed, that to communicate to a lady a former courtship of her intended bridegroom to another person, could not, if the fact were so, be the subject of an indictment. His lordship accordingly advised the jury to acquit all the defendants.—A verdict of Not Guilty was immediately recorded.

FROM THE LONDON GAZETTE.

Whitehall, July 15.

The king has been pleased to constitute and appoint the right hon. Thomas Grenville; the right hon. George John earl Spencer, knight of the most noble order of the garter; the right hon. William Windham, the right hon. Charles James Fox, his majesty's three principal secretaries of state; the right hon. William Wyndham, baron Grenville, first commissioner of his majesty's treasury; the right hon. Henry Petty, (commonly called lord Henry Petty,) chancellor and under-treasurer of his majesty's exchequer; the right hon. George Howard, (commonly called viscount Morpeth,) the right hon. John Hiley Addington, the right hon. John Sullivan, and the right hon. John Joshua earl of Carysfort, in that part of the united kingdom called Ireland, knight of the illustrious order of St. Patrick, to be his majesty's commissioners for the management of the affairs of India.

Admiralty-office, July 15.

Copy of a letter from the earl St. Vincent, K. B. admiral and commander in chief, &c. to William Marsden, esq. dated on board the Hibernia, off Ushant, the 11th instant.

Sir,

I transmit herewith copies of a letter with its inclosure, from rear admiral Harvey, reciting a very neat exploit, conducted by lieutenant Mulcaster, first of the Minerva; whom I feel great pride in acknowledging as an eleve of my own. I am, &c.

St. Vincent.

Tonnant, off Cape Finisterre, June 23, 1805.

My lord,

The weather being hazy, we did not see the Minerva, when the Princess Royal parted company this morning. As we stood in shore the Minerva joined; and captain Collier sent me a letter, of which the inclosed is a copy. It displays an enterprising spirit on the part of his officers and men employed upon this service. I have the honour to be, &c.

Eliab Harvey.

The earl St. Vincent, K. B. &c. &c.

Minerva,

Minerva, off Cape Finisterre, June 23, 1806.

Sir,

The particular part of your orders having been accomplished by my falling in with his majesty's ships Renown and Warrior on the 21st instant, I felt it my duty to direct my attention to the annoyance of the enemy's trade carried on along this coast to the ports of Ferrol and Vigo; and having reason to believe there were some lugger privateers in Finisterre bay, under the protection of the fort, I last night, it being calm, dispatched two boats from his majesty's ship under my command to scour the Bay. From among the volunteers for this service, it fell to the lot of lieut. Mulcaster, first-lieutenant, accompanied by lieutenant Menzies of the royal marines, to command the cutter; the barge was directed by lieutenant Ogle Moore. This forenoon I had the satisfaction to see the boats returning, accompanied by five Spanish luggers and chasse marées, as per margin*, mostly laden with wine, bound to Ferrol and Corunna. Lieutenant Mulcaster speaks very handsomely of the support he received from the petty officers and seamen and marines employed on this affair. I feel I should be deficient in my duty did I omit to state the circumstances attending the execution of this service, so creditable to lieutenant Mulcaster and his companions.—The first object was the fort, mounting eight brass guns, of twenty-four and twelve-pounders, which commanded the vessels. This was carried in a most neat and masterly manner by the bayonet and pike, before the guard had either time to raise the drawbridge, or discharge a twelve-pounder, which had been brought to face the gate (a fishing-boat having apprised them of the approach of our boats): part of the Spanish guard laid down their arms, and are now on board; the rest escaped. As the day began to dawn, and as the men were much harassed from a long row to the shore, and a fatiguing march over a heavy sand, the party were obliged to confine themselves to spiking the guns, and throwing some of them into the sea, ere they took possession of the vessels. The circumstance from which I derive most pleasure is, that this service was executed without a man being hurt on either side, although the boats in their return, during a calm of near three hours, were exposed to the fire of a two-gun battery from a hill to the southward of the town.

I have the honour to be &c.

GEORGE RALPH COLLIER.

Rear-admiral Harvey, &c. &c. &c.

Admiralty-office, July 19.

Copy of a letter from the hon. rear-admiral sir A. Cochrane, K. B. commander in chief, &c. at the Leeward Islands, to William Marsden, esq. dated Barbadoes, June 3.

Sir,

I inclose, for the information of the lords commissioners of the admiralty, copies of letters from captains Campbell and Bluett, of his majesty's sloops Cygnet and Wasp, giving an account of the capture of a French national schooner and sloop; the latter his majesty's late armed sloop Domi-

*Angel de la Guarda, Johan Antonio Anemas, Santa Antonio Anemas, Nostra Señora del Carmen, and Santa Christo Janemas.

nica,

nica, which had been run away with by her crew three or four days before, and carried to Guadaloupe, where she was immediately commissioned and manned with 75 men, and sent back with the schooner to attempt cutting out the merchant ships in Roseau Bay, which was happily frustrated, and one vessel only, which they had taken possession of, was recaptured. The French general, Hortade, with a party of soldiers, were taken on board these vessels. What motives could have induced an officer of his rank to engage in such petty predatory warfare I am at a loss to guess, particularly as he was taken without any uniform whatever.—The captain of the Duke of Montrose packet deserves great credit for his exertions; he received on board a party of the 46th regiment, and at the desire of the president got under weigh, and chased, and by this means the schooner was captured.

I have the honour to be, &c.

ALEX. COCHRANE.

His majesty's sloop Cygnet, off Dominica, May 24.

Sir,

At nine this morning, when at anchor in Prince Rupert's Bay, I received information of a schooner and cutter of the enemy being in the offing, on which I weighed, and made the necessary signals to his majesty's sloop Wasp, then standing in for the bay. At two, the cutter surrendered to the Wasp, and before eight the schooner commenced a partial action with the Duke of Montrose packet (who joined in chase from Roseau); on the approach of the Cygnet she surrendered, and proves to be the French national schooner L'Imperial, commanded by a lieutenant de vaisseau, mounts 1 long nine-pounder, 2 two-pounders, with small arms, and 65 men; sailed the evening before from the Saints.

I am, &c.

R. B. CAMPBELL.

His majesty's sloop Wasp, Dominica, May 24.

Sir,

I have the honour to inform you, that in proceeding to Prince Rupert's Bay this morning, I received intelligence (per signal) from his majesty's sloop Cygnet, at that anchorage, of an enemy in the S.W. quarter, which I immediately went in chase of, being a cutter and schooner: the former I captured, which proved to be the Napoleon privateer (late his majesty's cutter Dominica), commanded by Vincent Gautier, having 73 men, four of whom were of the 4th regiment of artillery, and twelve of the 26th regiment; she sailed from Basseterre on the 23d instant. I experienced the greatest satisfaction in being witness to the most gallant conduct and perseverance of his majesty's packet the Duke of Montrose in capturing L'Imperial schooner (consort to the above cutter). I am sorry to inform you, from the determination of the cutter to escape, if possible, she had two men killed.

I have the honour to be, &c.

B. STERLING BLUETT.

The hon. Alex. Cochrane, K. B.

Admiralty-office, July 26.

Copy of a letter from vice-admiral Dacres, commander in chief of his majesty's ships and vessels at Jamaica, to Wm. Marsden, esq. dated on board the Hercule, Port Royal, June 7, 1806.

Sir,

With much pleasure I inclose, for

for the information of the lords commissioners of the admiralty, the copy of a letter I have received from captain Coghlan, acquainting me of the Renard having captured the French national brig Diligent, of 14 six-pounders, and 2 thirty-two pounders, brass carronades, with a complement of 125 men.

Should the brig, upon survey, be found fit for his majesty's service, I shall direct her to be purchased, and shall commission her by the name she now bears, with a sloop's complement.

I am, &c.
(Signed) J. R. DACRES.

His majesty's sloop Renard, Port Royal, Jamaica, June 3, 1806.

Sir,

I have the honour to inform you, that his majesty's sloop under my command captured on the 28th ultimo, in lat. 20 deg. 30. min. N. long. 68 deg. W. after a chase of sixty-four hours, the French national brig Diligent, commanded by captain Thevenard, of 14 six-pounders, and 2 thirty-two-pound brass carronades, with a crew of 125 men; seven days from Point-à-Petre, Guadaloupe, charged with dispatches from France, which were thrown overboard during the chase.

The conduct of the officers and men of this sloop was highly commendable, and their exertions uncommon, during so long and anxious a chase.

The brig is coppered and fastened, only three years old, sails well, is a very complete vessel, and is, in my opinion, fit for his majesty's service.

I have the honour to be, &c.
(Signed) J. COGHLAN.

Copy of another letter from vice-admiral Dacres, to Wm. Marsden, esq. dated on board the Hercule, Port Royal, June 8, 1806.

Sir,

I have the honour to inclose, for the information of their lordships, the copy of a letter I have received from captain Vansittart, informing me of the capture of a privateer by his majesty's ship Fortune, under his command.

I am, &c.
(Signed) J. R. DACRES.

His majesty's ship Fortune, off Nayassa, June 1, 1806.

Sir,

I have the honour to acquaint you, that in the execution of your order of the 5th ult. directing me to stretch over to the coast of Cuba, and cruize diligently for the protection of the trade and annoyance of the enemy, on the 18th, off Cape Berens, his majesty's ship under my command fell in with and captured the French privateer schooner Grand Juge Bertolio, of Guadaloupe, armed with 1 long brass twelve-pound gun, 2 fours, and 4 twelve-pound carronades, complement 120 men, but having only 51 on board, five days from St. Jago de Cuba, bound to the city of St. Domingo to complete her complement. A few days previous to this capture, the boats of his majesty's ship under my command destroyed two Spanish feluccas, with beef and flour, and captured a small schooner.

I have the honour to be, &c.
H. VANSITTART.

Admiralty-office, July 29.

The following letter from rear-admiral sir William Sidney Smith, addressed

addressed to vice-admiral lord Collingwood, has been forwarded to the admiralty in his lordship's letter of the 2d instant.

Pompée at anchor off Scalea, May 24, 1806.

My lord,

I arrived at Palermo in the Pompée on the 21st of last month, and took on me the command of the squadron your lordship has done me the honour to place under my orders. I found things in the state that may be well imagined on the government being displaced from its capital, with the loss of one of the two kingdoms, and the dispersion of the army assembled in Calabria. The judicious arrangement made by captain Sotheron of the ships under his orders, and the position of the British army under sir John Stuart at Messina, had however prevented further mischief.

I had the satisfaction of learning that Gaeta still held out, although as yet without succour, from a mistaken idea, much too prevalent, that the progress of the French armies is irresistible. It was my first care to see that the necessary supplies should be safely conveyed to the governor. I had the inexpressible satisfaction of conveying the most essential articles to Gaeta, and of communicating to his serene highness the governor (on the breach battery, which he never quits) the assurance of further support to any extent within my power, for the maintenance of that important fortress, hitherto so long preserved by his intrepidity and example. Things wore a new aspect immediately on the arrival of the ammunition: the redoubled fire of the enemy with red-hot shot into the mole (being answered with redoubled vigour) did not prevent the landing of every thing we had brought, together with four of the Excellent's lower-deck guns, to answer this galling fire, which bore directly on the landing-place. A second convoy, with the Intrepid, placed the garrison beyond the immediate want of any thing essential and the enemy; from advancing his nearest approaches to within 250 yards, was reduced to the defensive in a degree, dreading one of those sorties which the prince of Hesse had already shown him his garrison was equal to, and which was become a much safer operation, now that the flanking fire of eight Neapolitan gun-boats I had brought with me in addition to four his highness had already used succesfully, would cover it, even to the rear of the enemy's trenches. Arrangements were put in train for this purpose; and according to a wise suggestion of his serene highness, measures were taken for the embarkation of a small party from the garrison to land in the rear of the enemy's batteries to the northward.

I confided the execution of the naval part of this arrangement to captain Richardson, of his majesty's ship Juno, putting the Neapolitan frigate and gun-boats under his orders. His serene highness possessing the experience of European warfare, and a most firm mind, having no occasion for further aid on the spot, I felt I could quit the garrison without apprehension for its safety in such hands, with the present means of defence, and that I could best co-operate with him by drawing some of the attacking force off for the defence of Naples, and accordingly proceeded thither with the line of battle ships named in the margin.

margin*. The enemy's apprehension of attack occasioned them to convey some of the battering train from the trenches before Gaeta to Naples. The city was illuminated on account of Joseph Bonaparte proclaiming himself king of the two Sicilies! The junction of the Eagle made us five sail of the line, and it would have been easy for their fire to have interrupted this ceremony and show of festivity, but I considered that the unfortunate inhabitants had evil enough on them; that the restoration of the capital to its lawful sovereign and its fugitive inhabitants would be no gratification if it should be found a heap of ruins, ashes, and bones; and that as I had no force to land and keep order, in case of the French army retiring to the fortresses, I should leave an opulent city a prey to the licentious part of the community, who would not fail to profit by the confusion the flames would occasion. Not a gun was fired—but no such consideration operated on my mind to prevent me dislodging the French garrison from the island of Capri, which, from its situation, protecting the coasting communication southward, was a great object for the enemy to keep, and by so much one for me to wrest from him. I accordingly summoned the French commandant to surrender: on his non-acquiescence (see the annexed correspondence), I directed captain Rowley, in his majesty's ship Eagle, to cover the landing of marines and boats' crew, and caused an attack to be made under his orders. That brave officer placed his ship judiciously, nor did he open his fire till she was secured, and the distance marked by the effect of musquetry on his quarter-deck, where the first-lieut. James Crawley, fell wounded, and a seaman was killed. Although captain Rowley regretted much the services of that meritorious officer in such a critical moment, he has since recovered.

An hour's fire from both decks of the Eagle, (between 9 and 10 o'clock) with that of two Neapolitan mortar boats under an active officer, lieutenant Rivera, drove the enemy from the vineyards within their walls; the marines were landed, and gallantly led by captain Bunce; the seamen in like manner, under lieutenant Morrell, of the Eagle, and lieutenant Redding, of the Pompée, mounted the steps; for such was their road, headed by the officers, nearest to the narrow pass, by which alone they could ascend. Lieutenant Carrol had thus an opportunity of particularly distinguishing himself. Captain Stannus commanding the Athenienne's marines, gallantly pressing forward, gained the heights, and the French commandant fell by his hand: this event being known, the enemy beat a parley, a letter from the second in command claimed the terms offered; but being dated on the 12th, after midnight, some difficulty occurred, my limitation as to time being precise: but on the assurance that the drum beat before twelve, the capitulation annexed was signed, and the garrison allowed to march out and pass over to Naples with every honour of war, after the interment of their former brave commander, with due respect. We thus became masters of this important

* Pompée, Excellent, Athenienne, Intrepid.

post.

post. The enemy not having been allowed time to bring two pieces of heavy cannon with their ammunition to Capri, the boat containing them, together with a boat loaded with timber for the construction of gun-boats at Castellamare, took refuge at Massa, on the main land opposite to the island, where the guard had hauled the whole upon the beach. I detached the two mortar boats, and a Gaeta privateer, under the orders of lieutenants Faliverne and Rivera, to bring them off, sending only Mr. Williams, midshipman of the Pompée, from the squadron, on purpose to let the Neapolitans have the credit of the action, which they fairly obtained; for, after dislodging the enemy from a strong tower, they not only brought off the boats and two 36-pounders, but the powder (twenty barrels) from the magazine of the tower, before the enemy assembled in force.

The projected sorties took place on the 13th and 15th in the morning, in a manner to reflect the highest credit on the part of the garrison and naval force employed. The covering fire from the fleet was judiciously directed by captains Richardson and Vicuna, whose conduct on this whole service merits my warmest approbation. I inclose captain Richardson's two letters, as best detailing these affairs, and a list of the killed and wounded on the 12th.

On the 19th ult. the boats of the Pompée, under lieutenant Beancroft, brought out a merchant vessel from Scalvitra, near Salerno, although protected by a heavy fire of musketry. That officer and Mr. Sterling distinguished themselves much. The enemy are endeavouring to establish a land carriage there to Naples.

On the 23d, obtaining intelligence that the enemy had two 36-pounders in a small vessel on the beach at Sealea, I sent the Pompée's boats in for them. But the French troops were too well posted in the houses of the town for them to succeed without the cover of the ship. I accordingly stood in with the Pompée; sent a message to the inhabitants to withdraw; which being done, a few of the Pompée's lower-deck guns cleared the town and neighbouring hills, while the launch, commanded by lieutenant Mouraylin, with lieutenant Oats of the marines, and Mr. Williams, drove the French, with their armed adherents, from the guns, and took possession of the castle, and of them. Finding, on my landing, that the town was tenable against any force the enemy could bring against me from the nearest garrison, in a given time, I took post with the marines; and, under cover of their position, by the extreme exertions of lieutenant Carrol, Mr. Ives, master, and the petty officers and boats' crews, the guns were conveyed to the Pompée, with twenty-two barrels of powder.

(Signed) W. Sidney Smith.

On board his majesty's ship La Pompée, May 11, 1806.

Sir,

Before I make a regular attack, which must necessarily reduce an insulated and irregular fortress without works, I have thought proper, according to the custom of war, to summon you to evacuate the post which you occupy. If you refuse, I inform you that you will be forced to yield upon terms more or less favourable, according to the degree of force and time which you may oblige me to employ.

ploy to reduce you to this extremity: thus, sir, you see that the terms of the surrender of the post depend upon yourself today: in the hope of an answer, which will spare blood on both sides,

(Signed) W. SIDNEY SMITH.

To the commandant of the French troops at Capri.

The commandant of Capri to rear-admiral Sidney Smith.

Capri, May 11.

I received, sir, your letter, dated this day, and for answer I have to observe to you, that a true soldier does not surrender till he has tried his force with that which attacks him. You are, sir, too good and brave a soldier to blame me if I do not accept your polite invitation.

(Signed) CHERVET, capt. 101st reg.

Captain L'Etang, commanding the French troops, to sir Sidney, Smith, rear-admiral of the English squadron.

Capri, May 12.

Good fortune having favoured you, together with the advantage you had in landing, oblige me to make you the following proposals:—

To give up to you the town of Capri, and all the island, reserving to myself for my honour, and that of the troops I command, the liberty of returning to Naples, with arms and baggage, at the time which it shall please you to grant me. I expect this generosity from your hands, to avoid bloodshed on both sides; in default of which I shall be obliged to continue till extinction.

L'ETANG.

CAPITULATION.

Capri, at midnight, the 11-12*th of June.*

In consequence of the good conduct of the officers and troops of the garrison of Capri, the English commanders have granted the following articles; to wit,

Art. 1. The officers, subalterns, and soldiers shall embark as soon as possible, with the arms and baggage belonging to them.

Art. 2. They shall be conveyed to Pozzuoli.

Art. 3. The English officers engage to cause the French troops to be respected as much as possible, during the time they shall be in their power.

Art. 4. The French officers make the same engagement towards the troops and vessels which shall transport them to their destination.

This present treaty was concluded at midnight of the 11th-12th of May, 1806, between captain Charles Rowley, capt. of the ship, and M. L'Etang, capt. of the 22d regiment of light infantry, commanding in the island of Capri.

To which have signed,

(Signed) L'ETANG.

CHARLES ROWLEY.

N. B. The commandant since wishing to disembark with his troops at Massa, invites the English admiral to grant it to him.—Approved.

(Signed) W. SIDNEY SMITH.

List of killed and wounded in taking Capri, May 12, 1806.

Eagle—Lieutenant James Crawly, first-lieutenant, slightly wounded; 1 seaman and 1 marine killed; 4 seamen and 6 marines wounded.

List of killed and wounded in the sortie of Gaeta, May 15, 1806.

Divisions of the boats detached from the Juno—4 seamen killed and 5 seamen wounded.

(Signed) W. SIDNEY SMITH.

His majesty's ship Juno, Gaeta, May 14, 1806.

Sir,

The enemy having erected a battery of 4 guns on the point La Madona della Catterra, his serene highness the prince of Hesse ordered sixty men from the garrison to be embarked in four fishing-boats; and on the night of the 12th I proceeded with the Juno's boats, armed, accompanied by those of his Sicilian majesty's frigate Minerva, commanded by captain Vieugna, and landed the troops, undiscovered, in a small bay, in the rear of the enemy's works. Lieutenant Parisio, who commanded the party, having advanced, the enemy abandoned the post, after firing to alarm their camp; but before they could arrive with a reinforcement, the guns were spiked, the gun-carriages destroyed, and the troops re-embarked without any loss.

(Signed) H. RICHARDSON.

Sir W. S. Smith, K. S. rear-admiral of the blue, &c.

His majesty's ship Juno, Gaeta, May 16.

Sir,

His serene highness the prince of Hesse Philipsthal, having signified to me on the 14th inst. his intention of making a sortie early on the following day, to attack the French lines, and directing me to have the necessary arrangements made, that the boats might co-operate with and support the troops from the garrison, I caused the gun-boats to be divided into three divisions (four in each), and delivered copies of the inclosed order to captain Vieugna, of his Sicilian majesty's frigate Minerva, and lieutenants le chevalier Beliamo and Valguirnira.

The sortie took place precisely at half past eight o'clock yesterday morning, and was attended with success: the Neapolitan troops having driven the enemy out of their trenches, and taken the Serapo battery (the guns of which they spiked), returned into garrison with little loss, bringing in with them a captain of engineers and some others, their prisoners; the number I have not yet learnt.

They were supported in their attack and retreat, on their left along the shore of Serapo, by the boats of this ship, armed, under the direction of lieutenant Wells of the navy, and lieutenant Mant of the marines, and the first division of gun-boats, which I took the command of; and on their right, by the second division, under the orders of lieutenant Valguirnira: the third division (having embarked fifty men from the garrison) were ordered, with the Minerva frigate, to make a diversion on the other side of the bay; but, owing to a calm, the Minerva could not reach her station, though the boats succeeded in landing the troops, and brought off some cattle; the fire from this division having kept in check and prevented from advancing a considerable body of thee nemy's cavalry, which were sent to attack the party landed.

The loss of the garrison I have not yet understood: that of the boats is, First division, two killed; Second division, two killed and five wounded. The enemy must have suffered considerably, as more than one hundred muskets have been brought in.

I think it my duty to recommend to your notice, on account of their good conduct and courage, the lieutenants of his Sicilian majesty's navy, le chevalier Beliamo,

Beliamo, Valguirnira, and Pughese. H. RICHARDSON.

Sir W. S. Smith, K. S. rear-admiral of the blue, &c.

Admiralty-office, July 29.

Copy of a letter from the right hpn. lord Keith, K. B. admiral of the white, &c. &c. to William Marsden, esq. dated on board the Edgar, off Ramsgate, 27th of July, 1806.

Sir,

I have the satisfaction of transmitting, for their lordships' information, a copy of a letter which I have received from captain Lavie, of his majesty's ship the Blanche, acquainting me with the capture, in the latitude of the Ferroe Islands, of the French frigate La Guerriere, one of the enemy's squadron that has been harassing our ships employed on the Greenland fisheries. Their lordships will have great pleasure in observing, from the list annexed to captain Lavie's report, that in consequence of his good conduct, this large frigate has been carried with very little loss on our part, and that he speaks in terms of high commendation of lieutenant Davies and the rest of the Blanche's officers and ship's company. KEITH, admiral.

His majesty's ship Blanche, Yarmouth Roads, July 26.

My lord,

I have the honour to acquaint you of my return to Yarmouth Roads, having in company La Guerriere French frigate, commanded by Monsieur Hubert (of the legion of honour), whom I captured on the 19th instant, in latitude 62 deg. N. off the Ferroe Islands, after a sharp contest of 45 minutes. La Guerriere is of the largest class of frigates, mounting 50 guns, with a complement of 317 men; but these were soon sadly reduced by our destructive fire, and the ship has also suffered very severely, while the damages of the Blanche are confined to the topmasts, rigging, and sails. It now becomes a pleasing duty to beg you to recommend lieutenant Henry Thomas Davies to their lordships' notice, and to speak in terms of respect of his general good conduct, as also of lieutenants Bastin and Allan; of Mr. Robertson, the master, and lieutenant John Campbell of the marines. The warrant officers, midshipmen, and ship's company are likewise entitled to my warmest praise. Underneath you will observe the list of killed and wounded. THO. LAVIE.

Blanche—None killed.

Wounded.—Lieutenant Bastin, not dangerously; Thomas Wilkinson, James Wilkinson, marines, not dangerously; Geo. Morley, marine, dangerously.

La Guerriere—Twenty killed; thirty wounded, ten dangerously.

T. LAVIE.

Right hon. lord Keith.

Copy of an inclosure from vice-admiral lord Collingwood, commander in chief in the Mediterranean, off Cadiz, July 1.

Apollo, June 10, Messina.

Sir,

I arrived here this evening with a French brig laden with six brass 24-pounders, their shot and carriages, taken on the night of the 5th instant near the Agie Finucana, in the Gulf of Torento, where she had run aground, her crew having stove her, and landed to defend her, assisted by the armed force in the neighbourhood. The almost continual fire, during the night, of their musketry, aid-

ed by a large field-piece, could not prevent the officers and crews of the boats I dispatched on this service from having her off towards the morning. I have more satisfaction in having performed this service, as I conceive from the course she was steering when I first saw her, that those guns were intended for the new batteries opposite the Pharos. One seaman only was wounded on our part.

(Signed) E. FELLOWS.

Sir W. S. Smith.

WEST INDIA DOCKS.

The ceremony of opening the large export dock, which completes this magnificent undertaking, was performed on Saturday the 12th inst. the anniversary of the day (12th July, 1799,) on which the act of parliament for carrying the same into effect received the royal assent.

The chairman, Robert Milligan, esq.; the deputy chairman, Richard Lee, esq.; with most of the directors, attended about two o'clock, to receive the company at the principal entrance into the works; and soon afterwards the company arrived, which were very numerous, and amongst them many ladies and gentlemen of the first rank and distinction.

The Phœnix, captain Douglas, a large West India ship belonging to Messrs. Hibberts, which was ornamented with various flags of different nations, being moored in a convenient situation near the dock, the chairman, deputy chairman, and directors, accompanied by

E. of Westmorland	Lord Burgherst
E. of Chichester	The Lord Mayor
Earl Temple.	Rt. Hon. the Master
Lord Hawkesbury	of the Rolls.
Lord Minto	L. C. Just. Mansfield
Lord Sheffield	Rt. Hon. G. Rose.
Lord Howick	R. B. Sheridan.
Lord Henry Petty	Sir Al. Clarke, K. B.

And many other gentlemen of distinction, proceeded on board the ship, which, upon a signal-gun being fired, was navigated into the new export dock, and having proceeded to the middle of the dock, she was moved to the centre of the quay on the north side thereof.

The company, after partaking of an elegant repast on board the ship, landed and proceeded to the east end of the quay, and passing over the lock, entered the premises belonging to the great import dock, which they viewed, with the stupendous warehouses surrounding the same, and expressed great pleasure and satisfaction at the completion of an undertaking of such prodigious magnitude, so beneficial to the commerce of the country, honourable to the parties who conducted the execution of the works, and ornamental to the nation.

An Account of Goods imported from the West Indies, and landed in the West India Docks, in the Years 1803, 4, 5, & 6.

GOODS.	1803.	1804.	1805.	1806.
Sugar, . hhds.	138,337	132,536	152,010	154,150
——— tierces.	13,292	12,07[illegible]	12,6[illegible]6	15,550
——— barrels.	5,95[illegible]	5,934	11,26[illegible]	7,043
Rum, . puns.	20,516	11,555	18,083	15,986
——— hhds.	510	306	326	296
Cotton, . bales.	8,297	23,144	17,611	15,170
——— bags.	1,621	1,56[illegible]	1,811	3,438
Ginger, .	2,146	2,796	3,981	3,809
Coffee, . casks.	17 218	25,549	24,371	3[illegible],291
——— barrels.	362	1,644	1,248	1,69[illegible]
——— bags.	24,305	44,732	29,730	110,616
Cocoa, . casks.	912	7[illegible]9	1,624	1,457
——— bags.	526	751	3,297	4,1[illegible]3
Pimento,	8,118	9,575	3,582	16,0[illegible]9
Indigo, . packs.	2[illegible]0	1[illegible]7	503	482
Wine, . bu ts.	35	62	36	54
——— pipes.	1,182	1,058	1,065	1,416
——— hhds.	407	355	219	449
——— quarter casks.	113	99	49	137
Packages,	244,162	274,611	283,464	387,170
Dye Woods, tons	6,625	7,361	6,339	6,269
Mahogany, logs, &c.	8,131	4,286	3,913	5,593

AUGUST.

Admiralty-office, August 2.

Copy of a letter from the earl of St. Vincent, K. B. admiral and commander in chief in the Channel, Soundings, &c. to William Marsden, esq. dated Hibernia, off Ushant, the 27th July, 1806.

Sir,

I inclose the relation of a very gallant action, in which the most intrepid valour has been manifested, and the national character highly sustained; but I greatly regret the loss of a number of brave men in the performance of it; flattering myself, however, that 16 of them are prisoners. I am, &c.

ST. VINCENT.

Centaur, off Rochefort, July 19.

My lord,

I beg leave to inclose to your lordship a letter I have received from captain Rodd, of his majesty's ship Indefatigable, giving an account of an attack made by a boat from each line of battle ship from this squadron, and those of his majesty's ships Indefatigable and Iris, on two corvettes and a convoy, in the entrance of the river Garonne. Le Cæsar, the largest corvette, was boarded and carried by the division of boats led on by lieut. Sibly, first lieutenant of the Centaur, in a style highly honourable to the national character. The western breeze that sprung up after the boats had left the Indefatigable, and blowing stronger as they advanced, was truly perplexing, for it was the only circumstance that could have prevented the whole falling into our hands; they took advantage on the first attack, and made sail, and escaped before the wind and tide up the Garonne; it was impossible for the boats to prevent them. The firm resistance made by the corvette caused a greater loss than could be expected, but nothing could withstand the bravery of the officers and seamen employed.

To lieut. Sibly's gallantry no words of mine are equal to do justice, every one speaks of him in terms of the highest commendation, and I had before, in the West Indies, experienced his brave conduct; he now has seven severe wounds, but I hope none mortal, and I beg leave to recommend him as an officer truly deserving the attention of my lords commissioners of the admiralty.—To lieut. Parker, first of the Indefatigable, much praise is due, and given him by lieut. Sibly, for his brave support and able conduct in managing the corvette after he was wounded.

The loss of the boats was unavoidable, of that of the Revenge, with her officer and crew, no certain account can be obtained; there is a faint hope she may have been driven up the Garonne.

I have the honour, &c.

SAM. HOOD.

Rt. hon. earl St. Vincent, &c.

Indefatigable, off Rochefort, 17th July, 1806.

Sir,

I have the honour to acquaint you, in obedience to your orders of the 14th inst., I gave the command of the boats of the squadron you sent me by the Iris, for the purpose of endeavouring to capture or destroy the French convoy in the entrance of the river of Bourdeaux (with the addition of three from the Indefatigable, and three from the Iris) to lieut. Sibly, of the Centaur, with all the information I was in possession of respecting their situation on the evening of the 15th, it appearing a favourable time to make the attempt; though some

time after the boats had quitted the Indefatigable, the wind shifted to the westward and came on to blow fresh, notwithstanding the boats proceeded to Verdun Road, boarded and carried the French brig Le Cæsar, of eighteen guns, and by the rolle d'equipage, 86 men, commanded by monsieur Louis Francois Hector Fourre, lieutenant de vaisseau. The conflict was severe on both sides, the Frenchmen being in every respect well prepared, expecting the attack. The wind coming on to blow fresh, and the tide running very strong, was much against the boats; but nothing could withstand such men, led on by the officers who commanded them.

Lieutenant Sibly, I lament to say, is badly wounded in several places, though, from the reports of the surgeon, I trust, he will recover. To this gallant officer (whose conduct is spoken of by all who were under his command with admiration) I beg to refer you for particulars. The convoy all cut their cables and ran up the river instantly on the attack being made on the brig.

There is much credit due to lieutenant Thomas Parker, first of the Indefatigable, who took the command of Le Cæsar after she was carried, for his conduct in working her out past the batteries, which kept up a constant cross fire on her, and engaged by the Teazer brig (late in his majesty's service), for nearly two hours; the same attaches to the other officers and men for their coolness and conduct while they were engaged.

The greater part of the boats were either shot through, or so badly stove that they were swamped and obliged to be cut adrift from the brig, except the Indefatigable's launch and Iris's cutter.—The Revenge's boat, officer, and crew, are missing. Le Cæsar is a fine brig, evidently sails well, five years old, eighty-eight feet long, twenty-three wide, coppered, and appears fit for his majesty's service. Inclosed is a list of the killed and wounded.

I have the honour to be, &c.

JOHN T. RODD.

To sir Samuel Hood, senior officer, &c. off Rochefort.

List of officers and men belonging to such of the boats of his majesty's squadron, under the orders of captain sir Samuel Hood, K. B. who were killed or wounded in the attack of the French men of war and convoy in Bourdeaux river, on the 16th July, 1806.

Centaur—E. R. Sibly, lieutenant, wounded by pike and sabre on the side, arm, and face; Samuel Wooldridge, quarter-master, wounded badly in the thigh by a pike; Thomas Gray, quarter-gunner, wounded badly in the side by a pike; Michael Hales, able, wounded in the hand and arm by a musket-ball, and in the shoulder by a pike; John James, able, wounded slightly on the chin by a musket-ball; Bernard Connor, able, wounded in the lip by a sabre, and thigh by a pike; William Tully, able, killed by a musket-ball; William M'Cormick, private of marines, wounded badly on the arm by a musket-ball, and thigh by a pike.

Conqueror: lieutenant G. Fitzmaurice—Mr. Helpman, master's-mate, killed by a shot in the boat; Thomas Willoughby, quarter-master, wounded, fear mortally, on board the Cæsar brig; Samuel Noy, able, wounded severely in the arm.

Prince of Wales, lieutenant Francis—David Parry, able, killed; F. B. Gibbs, wounded slightly on the

the left leg and right arm; Thomas Mullins, master's mate, flesh wounded on the outer part of left thigh by a pistol shot; Thomas Pritchard, able, contused wound over the right cheek, and slight wound in the middle finger of the right hand; Thomas Wales, quarter-master's-mate, slight wound on the inner ankle of the left leg; John Slater, private of marines, contusion over the right eye, occasioning a total loss of sight in that eye; slight punctured wound over the seventh rib; contusion on the left hip; Charles Valantine, private of marines, flesh wound on the right foot.

Revenge: lieutenant Manners and Mr. Blackstone, midshipman—Charles Manners, lieutenant, missing; Thomas Blackstone, midshipman, ditto; John Drey, coxswain, ditto: Samuel Colvin, able, ditto; Joseph Willson, able, ditto; John Thomson (1), able, ditto; John Kelson, able, ditto; Thomas Matterson, able, ditto; Hugh Jones (2), able, ditto; Thomas Shirrelt, able, ditto; John Swinbank, able, ditto; John Masterman, able, ditto; George Pearson, able, ditto; David Maddocks, quarter gunner, ditto; William Trickett, able, ditto; William Bell, able, ditto; John Thompson (2), able, ditto; William Murphy, private of marines, ditto; Alexander Spence, private marine, ditto; Thomas Helps, private marine, ditto; David Whitehead, private marine, ditto.

Polyphemus—William Anderson, quarter-master's mate, severe cut across the head; W. Fleming, coxswain, slightly cut across the eye-brow.

Monarch: lieutenant Tait—Dalhouse Tait, lieutenant, wounded badly in the groin and breast by a pike; John Boil, able, wounded badly in the face by a sabre; Thomas Anderson, able, wounded badly in the leg and hand by a musket-ball; Thomas Kennedy, able, wounded badly in the neck by a pike; Edward Harms, able, wounded slightly by a pike; Thomas Brooks, private of marines, wounded sightly in the side by a pike; Thomas Robertson, able, wounded slightly by a pike; John Coward, able, killed and drowned.

Indefatigable: lieutenants Parker, Arscott, and Shepperdson.—William Cross, boatswain's-mate, killed; John Cross, boatswain's-mate, ditto; Thomas Parker, lieutenant, wounded slightly in the side by a pike; R. Shepherdson, lieutenant, wounded badly in the face by a splinter; John Cunningham, able, wounded dangerously in the side by a sword; J. Brownlow, able, wounded badly in the groin by a grape-shot; W. Gerrish, private of marines, wounded badly in the hip by a pistol-ball; John Quin, able, wounded slightly in the leg by a musket-ball; John Sullivan, able, wounded slightly in the thigh by a pike; James Shearing, wounded slightly in the face by a musket ball; Richard Grannaw, captain of the main-top, wounded slightly in the leg and breast by a sabre; Reg. Sutherland, captain of the forecastle, wounded slightly in the groin and hand by a pike; serjeant Berry, private marine, wounded slightly in the foot and finger.

Iris—William Taylor, able, wounded badly by a shot lodged in his arm.

Total—6 killed, 36 wounded, 21 missing.

Many on the above list but slightly wounded.

N. B. By intelligence gained yesterday from a Portuguese vessel, of sixteen English prisoners having

been marched into Rochefort from Bourdeaux, it is considered they are the Revenge's men, missing in the above report.

Copy of a letter from admiral the earl of St. Vincent, K. B. to William Marsden, esq. dated on board his majesty's ship Hibernia, off Ushant, the 29th July, 1806.

Sir,

Inclosed is another instance of the enterprising spirit of my elève, lieutenant Mulcaster, of the Minerva.

I am, &c.

ST. VINCENT.

Tonnant, off Cape Finisterre, 17th July, 1806.

Sir,

The inclosed is a copy of captain Collier's letter respecting the capture of one of the Spanish boats, which do so much mischief to trading vessels on the coast of Portugal. The zeal and activity of lieutenant Mulcaster upon this, as on several other occasions, appears to me very deserving the approbation of my lords commissioners of the admiralty, as well as the conduct of lieutenant Menzies, of the royal marines, who has been his constant companion in these expeditions. I have ordered the prisoners a passage to England in the Spartiate, and remain, &c.

ELIAB HARVEY.

Sir Charles Cotton, bart. vice-admiral of the red, &c.

His majesty's ship Minerva, Oporto Road, 12th July.

Sir,

I have the honour to inform you that finding it were likely his majesty's ship under my command might be detained in these roads a couple of days, and being informed the Oporto and Lisbon trade were hourly expected from England, for whom several Spanish privateers and row-boats were lurking in Portuguese creeks and rivers, I determined upon sending a boat to the northward; and, at the solicitation of my first-lieutenant, Mr. Mulcaster, I dispatched him on the 9th instant in the barge, with his former companion lieutenant Menzies of the marines, who upon every opportunity has most handsomely volunteered his services, and Mr. Turrell, midshipman, to cruize a few leagues north of this port, with the hope of intercepting some of the piratical cruizers belonging to Guarda.

On the evening of the 11th I had the satisfaction to be rejoined by the barge, having a Spanish lugger in company, La Buena Dicha privateer, armed with one nine pounder, blunderbusses, and musketry, manned with twenty-six of the Guarda desperadoes, and capable of rowing twenty sweeps.

The very general, active, and enterprising character of lieutenant Mulcaster will not, I trust, suffer by my giving you the particulars of the capture of the privateer, which, though insignificant in herself, is one of those, from their peculiar construction, which have done much mischief to British Oporto traders. The lugger, having been apprised by a fishing-boat of the barge being near her, was far from avoiding the contest, which, though short, was severe. The barge advanced under a discharge of grape-shot from the prow gun, which was soon cleared, when the enemy prepared to defend themselves with the sabre and pistol, which the activity and resolution

lution of the officers, seconded by serjeant Hull, and Peter Ward, gunner's mate, and others of the crew, soon rendered unavailing. One Spaniard was killed, the captain, two officers, and two seamen, miserably (and, I understand, mortally) wounded. The regret I should feel on any other occasion is considerably diminished by a knowledge of the character and description of the people the boat's crew had to deal with; and I have little doubt but this check, so much desired by the British factory at Oporto, will destroy, in a great measure, that spirit and enterprise which has so long marked the inhabitants of Guarda.

I have the greatest pleasure in stating lieutenant Mulcaster's report of the very active and determined conduct of lieut. Menzies, the inferior officers and boat's crew, after a fatiguing race of near forty miles, and am sure you will feel equal pleasure in a knowledge that none were killed or wounded.

I have the honour, &c.

(Signed) G. R. Collier,

Copy of a letter from captain Beresford, of his majesty's ship Cambrian, &c. senior officer of his majesty's ships at Halifax, to William Marsden, esq. dated at Halifax, July 1, 1806.

Sir,

I have the honour to inclose, for their lordships' information, a letter from captain Hawker, of his majesty's ship Tartar, who has brought in a fine brig corvette, with information that her consort L'Argus, a corvette of twenty guns, was to cruize for four months near Bermuda. The officers of the yard report so favourably of L'Observateur, (in every respect strong, for this station, and wants nothing,) that I have taken on me to appoint the hon. lieutenant Crofton to act as commander in her, with officers, a complete crew, and directions to proceed off Bermuda in search of the Argus.

I am, &c.

J. P. Beresford.

Tartar, at sea, 9th June, 1806.

Sir,

I have the honour to inform you, his majesty's ship under my command (the Bacchus cutter in company) this day fell in with, and captured, after a chase and a few minutes resistance, the French imperial corvette brig L'Observateur, captain Crozier, of eighteen guns, pierced for twenty, with one hundred and four men, victualled and stored for four months; she sailed from Cayenne on the 13th May, in company with L'Argus, French brig of war, on a cruize, and had taken nothing.

I am, &c.

E. Hawker.

To J. P. Beresford, esq. commodore, &c.

Lewes, *Aug.* 4.

Hickes *v.* Gollard.

Cruelty to a dog.—Mr. Morris stated that the declaration in this cause complained, that the plaintiff had a valuable dog; the defendant beat the dog, and rubbed his sides with a caustic liquid, in consequence of which it became necessary to destroy the animal. To this the defendant had pleaded, that the dog trespassed upon his premises, and that he beat him to keep him away.

Mr. Garrow stated to the jury, that this was a cause of most unparalleled cruelty, as well as an aggravated breach of the law. The plaintiff, Mr. Hickes, was the keep-

er

er of a livery-stable at Brighton, and the dog which was destroyed was a most useful animal in guarding the yard. The defendant was of that class of religious sectaries who are supposed to carry the principles of the christian religion to greater extent than their neighbours. He dressed like a quaker, and would talk like one; his yea would be "yea," and his nay would be "nay;" but so far from being purer in principles than his neighbours, his conduct on the present occasion would show that he had not the first rudiments of christianity in his heart, for that was devoid of mercy. The Scripture taught us that a merciful man would be merciful to his beast, and he would add, he would also be merciful to his neighbour's beast. How far he had been so the jury would judge. The defendant, it seemed, kept a bitch, and the neighbouring dogs would frequent his house. He had an unquestionable right to beat them away; and if that had been all he had done, the plaintiff would have had no right to complain. But he should show that he actually enticed the plaintiff's dog into his yard, and then he rubbed him over with a liquid, which, from circumstances, be believed was oil of vitriol. He then turned the poor creature out, and in the course of the next day it corroded the flank of the poor wretch until the bowels actually dropped out, and it became necessary to put the animal out of its misery. It was for the jury to say what recompense they would give the plaintiff. It was not intended to prove any specific value of the dog, but the jury would be justified in giving the highest value that ever yet was set upon any animal of the sort.

Among other evidence, Cooper Sampson, ostler at the stables, stated that the next morning after the liquid had been applied, about five o'clock, he first saw the dog; it was then running about the yard in great agony. The hair on the back was hard as though burnt, but on the sides where the dog had licked himself, the flesh had been torn away, and there was but a thin skin between the bowels. The tongue of the animal, by licking itself, was burnt hard like a coal, and was so hard and stiff that it remained bent, as if it was bended. About twelve o'clock the skin in the flank was quite eaten through in holes, and the bowels dropped out on the ground. In this state they shot the animal. Two other witnesses proved the same thing.

Mr. Serjeant Best, for the defendant, admitted he could not say any thing in his justification, and that a verdict must be had against his client, for the value of the dog. But he cautioned the jury against giving way to their angry feelings, and awarding vindictive damages. They were by their verdict to compensate the plaintiff for the loss of his dog, and not to punish the defendant.

The lord chief baron also stated to the jury, that by their verdict they were to give to the plaintiff a compensation for the loss of his dog. In his way of business, such an animal was certainly useful in protecting the stable-yard from the depredations of strollers. But he doubted not but that such cruelty would be punished in the religious society of which the defendant was a member. They no doubt would expel him from amongst them, when they heard of such unparalleled cruelty.

The jury gave a verdict for the plaintiff, Damages Five Pounds.

Admiralty-

Admiralty-office, Aug. 9.

Copy of a letter from the right honourable the earl of St. Vincent, K. B. admiral and commander in chief of his majesty's fleet employed in the Channel, Soundings, &c. to William Marsden, esq.; dated on board his majesty's ship the Hibernia, off Ushant, the 5th instant.

Sir,

I have great pleasure in transmitting the accompanying letter from captain Keats, with its inclosure from captain R. D. Oliver of his majesty's ship the Mars, whose perseverance and judgment enabled him to capture a fine French frigate in the face of her three consorts of equal force.

I am, &c.

ST. VINCENT.

Superb, August 2.

My lord,

I have the honour to inclose your lordship a letter from captain Oliver, of the Mars, stating his chase from the squadron, and capture of La Rhin, a fine French frigate, on the 28th ult. with which he is just returned; and I lament exceedingly that the Mars could not be kept sight of the night of the 27th, as it would, doubtless, have led to more important success.

I have the honour to be, &c.

(Signed) R. G. KEATS.

The earl of St. Vincent,
K. B. &c.

Mars, at sea, July 29, *lat.* 45 *deg.* 9 *min. N. long.* 4 *deg.* 50 *min. at noon.*

Sir,

I beg leave to acquaint you, that I continued in pursuit of four of the enemy's frigates the night of the 27th instant; although I lost sight of them, as also of the squadron under your command soon after it was dark, except the Africa, which we saw until about eleven o'clock, on the lee-quarter, when she was observed to burn some false fires. We steered about a point free the whole night, with a light in the stern, standing to the southward, and carried a press of sail; I was induced so to do from observing the course the enemy's squadron was steering when first seen, and judging that it would increase their difficulty of getting to leeward of us: it had that effect most fully, for at daylight yesterday morning they were discovered precisely on the same bearing as on the previous evening, though at a greater distance, except their sternmost ship, which we appeared to be gaining on: this induced the French commodore to tack with his three headmost ships, and join her, and form in line of battle on the larboard tack—I thought, and hoped, with a determination to try the fortune of war, which was what every one on board the Mars most anxiously wished: but after making some signals, about three in the afternoon he made off with three frigates; the other continued her course under an extraordinary press of sail; and finding she was the only one we had gained on during a chase of 150 miles, and the day far spent, I still kept after her till six o'clock, when, in the midst of a violent squall of wind and hail, we were ranging upon her lee-quarter, after the first shot she struck her colours, just at the moment our broadside was ready to open upon her. She proved to be La Rhin, a very fine French frigate of 44 guns, 18-pounders, on the main deck, and 318 men; only four years old, commanded

commanded by captain Chesneau: the squadron was commanded by monsieur Lamarre Lameillerie, in the Hortense, with the Hermione and Themis frigates, on their return from Porto Rico. Soon after the Rhin had surrendered, on the squall clearing away, the other three frigates were seen standing to the south-east; and I regret that the weather, which has yet prevented our removing more than one-third of the prisoners, made it impracticable for me to pursue them further. I cannot conclude without expressing my admiration of the conduct of every officer and man in this ship during a chase of twenty-four hours, against so superior a force, with very bad weather, and incessant rain; several of our sails were split, and replaced with alacrity; and, in short, had the remainder of the French squadron waited our approach, from the great zeal manifested by every person on board, I have no doubt but our efforts would have been crowned with complete success in their destruction.

I have the honour to be, &c.

ROB. DUDLEY OLIVER.

To captain Keats, of his majesty's ship Superb, commanding a detached squadron, &c.

P. S. The Rhin hove overboard in the chase six of her quarter-deck and forecastle guns, and a bower anchor.

Admiralty-office, Aug. 12.

Copy of a letter from captain Stiles, of his majesty's ship the Adamant, to William Marsden, esq. dated at the Island of St. Helena, the 25th June 1806.

Sir,

I have the honour to transmit a copy of a letter to commodore sir Home Popham, at the Cape of Good Hope, acquainting him with the capture of the Spanish ship of war Nostra Senora de los Dolores, *alias* La Reparadora.

I have the honour to be, &c.

JOHN STILES.

Adamant, in False Bay, Cape of Good Hope, May 26.

Sir,

I have the honour to inform you of the arrival of his majesty's ship under my command, at this anchorage, with the victuallers named in the margin*, accompanied by the Spanish ship Nostra Senora de los Dolores, *alias* La Reparadora, of thirty guns (twelve and twenty-four pounders) and three hundred and fifteen men, commanded by Stanislaus Comaud, an officer in the Spanish navy. We fell in with and captured her on the 6th instant, in lat. 30 deg. 30 min. S. and long. 15 deg. 20 min. W. She had been out a month from Monte Video, in the Rio de la Plata, and had taken nothing. I have great satisfaction in announcing the capture of this ship to you, as from her magnitude and force she might have done much mischief to the trade on the coast of Africa; her crew are a desperate set of French, Spaniards, Portugueze, and Americans, the principal officers French: she had authority from the viceroy to wear the colours of the king of Spain, and had a company of

* Alexander and Royal Charlotte

Spanish

Spanish infantry on board. She is a strong well-built vessel, about four years old, coppered, and copper-fastened, and is, in my opinion, well calculated for his majesty's service.

I have the honour to be, &c.

JOHN STILES.

Commodore sir Home Popham, &c. &c.

Admiralty-office, Aug. 12.

Copy of another letter from captain Stiles, of his majesty's ship Adamant, to William Marsden, esq. dated at St. Helena, June 25, 1806.

Sir,

Four days before I parted with the East India convoy, I fell in with and captured a Spanish ship of war of thirty guns and three hundred and fifteen men; the particulars of which I beg leave to inclose in a letter No. 1. I arrived in Table Bay, with the victuallers, on the 20th of May; and having seen them in safety without anchoring myself, I immediately proceeded to sea on my return to St. Helena, according to their lordships' orders; but meeting with a most violent gale of wind from the N. W. and being very short of water, (having been three months from England without touching at any place, with three hundred and fifteen prisoners), both my maintopsail yards carried away, and my people very much afflicted with the scurvy, I thought myself justified in bearing up for Simon's Bay for refreshments. The French admiral Willeaumez, with six sail of the line, was in these seas about six weeks ago; his intention was to have gone to the Cape; but hearing it was in our possession he was obliged to go to Fernand de Noronne for water, and has not since been heard of. The Cannonnier French frigate (late his majesty's ship Minerve) put into False Bay about the last of May, not knowing the Cape was in our hands, and sent her boat on shore with a lieutenant, who, with his crew, are prisoners on board this ship. As there was no man of war in either Table or False Bay, and as she did not quite fetch into the proper anchorage, she got away, and it is supposed she is gone to the Isle of France, where the Piedmontese is lying blocked up by the Russel, Lord Duncan, and Psyche.

I have the honour to be, &c.

J. STILES.

15. Yesterday afternoon as Mr. Bolton, haberdasher, of Stanhope-street, Clare Market, was travelling with his son, a fine boy, four years old, inside the Bath and Taunton double-bodied coach, in Piccadilly the door flew open, and the child fell out; the hinder wheels of the vehicle, which was loaded with from fourteen to twenty passengers, went over both the legs of the child above the ancle, and broke the bones into splinters. It was a spectacle too shocking to give a full description of; the blood flowed copiously from the wounds, and the legs seemed only to be held together by the sinews.—The poor child was taken to the shop of Mr. Hambridge, Piccadilly, where every assistance was afforded to alleviate its sufferings.

Thursday se'nnight an infamous transaction took place at a public-house called Low-bridge, on the road between Manchester and Huddersfield, about two miles from the latter place. A young woman who had not been married more than a week, proceeding on a visit to her parents,

parents, called at this house to procure refreshment, where five men were drinking, without appearing to take much notice of her. Just after she had partaken of a gill of ale, she complained of sickness, and went to the door; on her return her indisposition evidently increased, and at this period she was laid on her back, while they poured ardent spirits down her throat. In this situation the young girl, who in the absence of her father had the charge of the house, with apparent humanity helped her to bed; but this was no sooner done, than she introduced into the room of the undefended stranger the fellows above noticed; from whom, aided in the proceedings by two other vile women, she was compelled to suffer a species of violence above all others the most abhorrent to the feelings of a virtuous woman. Not content with perpetrating the above, those wretches proceeded to *amuse* themselves with many indecent pranks, to the disfigurement of the young woman's person. The three men, and the three females above mentioned, are in custody. When the offenders were apprehended, and ready to be conveyed to Wakefield, the populace at Honley would have torn them to pieces, had they not been restrained by the constables.

19. Advices have been received from the Baptist Missionaries at Serampore, to Bengal, to Feb. 6, 1806. Considerable additions have been made to the church lately.—The number of natives baptised from January 1, 1805, to February 6, 1806, is thirty-six, making the whole number of the baptised, eighty-three persons. There are besides these many inquirers. A church has been established at Dinagepore, of eight members, over which Mr. Fernandez is ordained as their pastor. Mr. Carey expects two others to be soon constituted. A Mr. Mayhir, who lives 700 miles in the country, and has lately joined the church, with young Mr. Fernandez, have arrived at Philadelphia, on their way to Britain. The former intends to return immmediately, to attempt to introduce the gospel there; the latter is to reside some time in Britain for improvement as a misionary.

The mission at Serampore have published proposals for translating the Scriptures into Shanscrit, Mahratta, Gazzerattee, Orissa, Carnatta, Telenga, Burmah, Assam, Bochar, Tibet, and Chinese. These, with the Bengalee, Hindostanee, Malay, Tamul, and Cingalese, are the whole languages in India; and the Bible being already in the five last, no part of that vast continent will be destitute of the Word of God in their own language. The college at Fort William, and the Asiatic society, patronise the undertaking; and the Bible society of London, of which lord Teignmouth is president, have voted 1000*l.* towards defraying its expense.

The Chinese translation is begun, under the tuition of Mr. Joannes Lassar, from Canton, professor of that language, who was lately employed in correcting the official correspondence between the Portuguese at Macao and the court of Pekin. He is now resident at the Mansion-house at Serampore, and is teaching the language to three of the missionaries. Some part of the translation is already printed off, from characters cut in wood after the Chinese manner. The third and last volume of the Old Testament, in Bengalee, is at press. The Gospel of Matthew is printed in the Mahratta tongue; and

and a Minute Account of the Religion, Manners, and Customs of the Hindoos, derived from the Hindoo Shasters, and personal knowledge, for which Mr. Ward has been collecting materials several years, will soon be published in one volume quarto. Mr. Marshman is about to publish the Greek and Shanscrit languages compared.

20. Yesterday Swinton, the bankrupt, late vender of "Daffy's Elixir," in Salisbury-square, underwent a final examination before the commissioners, at Guildhall. In addition to the facts which have been made public, the bankrupt acknowledged the manner in which he made the fabricated account-book to impose on the commissioners. It was constructed by him, and Hall his servant, and three sorts of ink were used, namely, ink, ink and water, and ink and vinegar. Pens, differently formed, were also resorted to, and many of the leaves rubbed over with a German sausage, to give them a greasy, old appearance. He denied that the old leaves torn out of the cover, and destroyed by him, related to his Daffy's Elixir account, but said they contained receipts for making horse medicines, which he did not wish the world to be made acquainted with. Upon the whole of his examination his statements appeared so suspicious and fraudulent, that notwithstanding Mr. Const made several observations in his behalf, the commissioners committed him to Newgate. It did not appear that miss More, who has part of the bankrupt's accounts in her possession, could be found.

Singular occurrence.—In the early part of last week, a lady took a boat on the Surrey side of Blackfriars-bridge for Old Palace-yard. The waterman requested that she would allow his wife to go along with them; to which she readily consented. About midway the woman got up, and, after a formal apology to the lady for alarming her, declared her fixed determination to drown her husband; for the purpose of accomplishing which object, she immediately began to make every possible effort to upset the boat. In the midst of her exertions, however, her foot happened to slip, she fell overboard, and never rose more!

22. A most atrocious robbery was committed on a number of gentlemen at the Stock Exchange, on the settling day, by a foreign Jew of the name of Joseph Elkin Daniels, who has for a long time been a conspicuous character in the Alley. He had deliberately contrived a scheme of plunder perfectly new, but which, by the extreme confidence which is given on the Stock Exchange, was but too practicable. He was what is denominated a bull of omnium, that is, he had employed a broker (Mr. Montefiori), to buy omnium for the account, which was on Wednesday last. He had bought all the way up to $12\frac{3}{4}$ premium, and the average of his purchases was as high as 10. In the morning of the settling day, he told his broker that he would take the whole of the omnium he had purchased, and pay for it, as he was sure it would rise before the next account; he was enabled, he said, to hold it, as his relations had agreed to advance the money, and take it in pawn for him. This satisfied the broker, and he received from different gentlemen 31,000*l.* omnium on Daniel's draft for 16,816*l.* 5*s.* on the house of Messrs. Smith, Payne and Smith, and which draft Mr. Montefiori suffered,

ed, in the usual way of business, to pass to the clearing house, instead of sending directly for the money, while in the mean time he gave his own drafts to the different brokers for the omnium he had received. The instant that Daniels got possession of the omnium, he applied to Mr. Battye to sell 12,000*l.* of it for money; to another broker to sell 5000*l.*; and from both these gentlemen he got drafts for the amount, which he immediately received at their respective bankers; and two of the bank notes of 1000*l.* each, he changed at the bank of England, into 20 notes of 100*l.* each. He continued at the Royal Exchange till three o'clock, and was afterwards seen on Ludgate-hill so late as four o'clock. At that hour his own cheque for 16,816*l.* 5s. was refused payment, and the robbery was discovered. He had only 2700*l.* at his bankers', which was yesterday attached in their hands. Some of Montefiori's drafts were paid before the fraud was discovered. It yesterday came out also that he had borrowed considerable sums from different gentlemen on his drafts; and this accounts for his leaving a sum in the hands of his banker, as he thought it probable that some of them might have been carried in for payment, instead of passing through the clearing-house.

It is supposed that the robbery may extend to 40 or 50,000*l.* Precautions were yesterday taken, every way, to discover his route, and to prevent his getting out of the kingdom; but he had laid his plot with so much circumspection, and went about it with such arrangement, that it is feared he will escape to the continent, where the notes will, no doubt, be circulated. A committee sat yesterday at the Stock Exchange to take steps on the occasion. Mr. Abraham Goldsmid made application, by letter, to the right hon. lord Howick, requesting that he would be pleased to send notice by the telegraphs to the outports, to endeavour, if possible, to prevent his escape out of the kingdom; to which his lordship replied with promptitude, and informed him, that he had transmitted notice of the fraud to all the ports with which the admiralty correspond by telegraphs. The lord mayor dispatched his officers in all directions; and some of the principal sufferers went off themselves express to the most likely places.

26. About half past nine on Wednesday morning the George inn, at Hurst Green in Sussex, and an adjoining house occupied by a Mr. French, were struck with lightning. In the latter, which it first struck, it took off the corner of a chimney in an upper sitting-room, passed into a bed-room, where it shivered to pieces an alarum clock, and thence took a direction downwards into the kitchen. Here it struck a lanthorn, completely consuming the horn, and heating the tin work so that it could not be touched for some minutes after. The lightning then taking an angular direction into the back yard of the inn, shivered the posts on each side the kitchen door, and killed a full-grown fowl. Upwards of two dozen plates, standing near the door, on a stool, were broken into a thousand pieces. It then entered the brick-work at the bottom of the house, leaving a hole of about sixteen inches in circumference, and buried itself in the cellar. Miss Hanson, the daughter of the landlord of the George inn, stood within two feet of

of the place where it entered, and her mother and the maid-servant were close by her; all of them felt the shock, and fell at the same instant. Fortunately the only injury suffered was a slight contusion on miss Hanson's right foot, occasioned by a splinter from the door-post. The house was for several minutes filled with a sulphurous smoke.

LOSS OF THE NAIAS TRANSPORT.

27. The following particulars of the loss, on the coast of Newfoundland, of the transport Naias, bound to Quebec last fall, with three companies of his majesty's 100dth regiment of foot, have been furnished by one of the survivors of that deplorable event:—

"On the 23d of October, at four o'clock in the morning, the ship struck on the rocks, about a quarter of a mile off a small island near the Port-aux-Basques, to the eastward of Cape Ray. The strength of the wind at S. E. blowing inshore, the weight of the waves dashing over the vessel, and her filling, made it evident that she would shortly go to pieces. On attempting to lower the long-boat, it was carried away, and on this occasion major Bertram, the commanding officer, had his arm broke, and was carried overboard with the boat, and perished. Several who attempted to swim on shore perished in the sight of their comrades. Nothing, therefore, could be done by those who still remained on board, (and whose numbers were diminishing every minute, by being washed overboard,) but to commit themselves to the will of Providence, and await the awful moment of the breaking up of the vessel. This took place about eight o'clock; at that time there remained little more than fifty or sixty persons on board. Thirty-four of these, principally from the quarter-deck, got on shore on pieces of the wreck, to the small island already mentioned, which was but ten yards from the main land, to which they afterwards crossed on a raft. Their situation was then, however, but little less desperate than before they reached the shore.

"Shortly after the vessel broke up, the wind changed to N. W.; the hopes of their provisions being driven on shore were by that means entirely destroyed.—What provisions they had, when equally divided, amounted to about a pound of pork, and a few biscuits each; the shore, at that time of the year, seldom or never visited; the country barren and uninhabited; and the most inclement season approaching. The whole of those who got on shore, (among whom were lieutenant Dawson and ensign Falkner,) excepting three, of whom the informant was one, struck into the woods. The three just mentioned remained four days on the beach, when they were fallen in with by a hunter, of the name of Michael Gillam, who, it appears, had occupied a fishing-post near where the vessel was wrecked, in the summer, but had now retired to the woods, where he was hutted for the winter. By this man they were treated with the greatest humanity, and taken to his winter habitation, where they remained in company with two of the party which struck into the woods, whom this man had also discovered and brought in, till the spring, when he conducted them to Fortune Bay, where they embarked for Quebec.

"Accounts had been received of the escape of two sailors of the

large party which struck into the woods. The rest, it is feared, have all perished. The total number of souls on board the vessel was about 247, thirty or forty of which were women and children.

"The names of the persons known to be saved are Edward Cornwall, corporal; James M'Garnie, John Crossier, John M'Dermod, and James M'Kennah, privates 100dth regiment; Daniel Donovan and Thomas Robertson, sailors.

"The following are the names of the officers who were on board: major Bertram, captains Enright and Sherrard, lieutenant Dawson, ensigns Falkner, Cooper, and Ormsby, and assistant surgeon W. Hendrick, all of the 100dth regiment."

SEPTEMBER.

Downing-street, Sept. 4.

Dispatch received by Mr. Secretary Windham.

Camp on the Plain of Maida, July 6.

Sir,

It is with the most heartfelt satisfaction that I have the honour of reporting to you, for the information of his majesty, the particulars of an action, in which the French army quartered in this province have sustained a signal defeat by the troops under my command.—Gen. Regnier, having been apprised of our disembarkation at St. Eufemia, appears to have made a rapid march from Reggio, uniting, as he advanced, his detached corps, for the purpose of attacking, and, with his characteristic confidence, of defeating us. On the afternoon of the third instant I received intelligence that he had that day encamped near Maida, about ten miles distant from our position; that his force consisted at the moment of about 4000 infantry and 300 cavalry, together with four pieces of artillery, and that he was in expectation of being joined within a day or two by 3000 more troops, who were marching after him in a second division.—I determined therefore to advance towards his position; and, having left our four companies of Watteville's regiment under major Fisher to protect the stores, and occupy a work which had been thrown up at our landing-place, the body of the army marched the next morning according to the following detail:

Advanced corps; lieut.-colonel Kempt, with 2 four-pounders. Light infantry battalion. Detachment royal Corsican rangers. Detachment royal Sicilian volunteers. —1st brigade; brig.-gen. Cole, with three four-pounders. Grenadier battalion. 27th regiment.—2d brigade, brig.-gen. Ackland, with three four-pounders. 78th regiment. 81st regiment.—3d brigade; col. Oswald, with 2 four-pounders. 58th regiment. Watteville's regiment, five companies. 20th regiment, lieut.-col. Ross, landed during the action.—Reserve of artillery; major Lemoine, four six-pounders, and two howitzers.—Total: rank and file, including the royal artillery, 4795.

Gen. Regnier was encamped on the side of a woody hill, below the village of Maida, sloping into the Plain of St. Eufemia; his flanks were strengthened by a thick impervious underwood. The Amato, a river perfectly fordable, but of which the sides are extremely marshy, ran along his front; my approach to him from the sea-side (along the borders of which I directed

rected my march, until I had nearly turned his left) was across a spacious plain, which gave him every opportunity of minutely observing my movements. Had gen. Regnier thought proper to remain upon his ground, the difficulties of access to him were such, that I could not possibly have made an impression upon him. But quitting this advantage, and crossing the river with his entire force, he came down to meet us upon the open plain—a measure to which he was no doubt encouraged by a consideration of his cavalry, an arm with which, unfortunately, I was altogether unprovided. After some loose firing of the flankers to cover the deployments of the two armies, by nine o'clock in the morning the opposing fronts were warmly engaged, when the prowess of the rival nations seemed now fairly to be at trial before the world, and the superiority was greatly and gloriously decided to be our own. The corps which formed the right of the advanced line, was the battalion of light infantry commanded by lieut.-col. Kempt, consisting of the light companies of the 20th, 27th, 35th, 58th, 61st, 81st, and Watteville's, together with 150 chosen battalion-men of the 35th regiment, under major Robinson. Directly opposed to them was the favourite French regiment the 1st Legere. The two corps at the distance of about 100 yards fired reciprocally a few rounds, when, as if by mutual agreement, the firing was suspended, and in close compact order and awful silence, they advanced towards each other, until their bayonets began to cross. At this momentous crisis the enemy became appalled. They broke, and endeavoured to fly, but it was too late; they were overtaken with the most dreadful slaughter.—Brig.-gen. Ackland, whose brigade was immediately on the left of the light infantry, with great spirit availed himself of this favourable moment to press instantly forward upon the corps in his front; the brave 78th regiment, commanded by lieut.-col. Macleod, and the 81st regiment, under major Plenderleath, both distinguished themselves on this occasion. The enemy fled with dismay and disorder before them, leaving the plain covered with their dead and wounded.—The enemy being thus completely discomfited on their left, began to make a new effort with their right, in the hopes of recovering the day. They were resisted most gallantly by the brigade under brig.-gen. Cole. Nothing could shake the undaunted firmness of the grenadiers under lieut.-col. O'Callaghan, and of the 27th regiment under lieut.-col. Smith. The cavalry, successively repelled from before their front, made an effort to turn their left; when lieut.-col. Ross, who had that morning landed from Messina with the 20th regiment, and was coming up to the army during the action, having observed the movement, threw his regiment opportunely into a small cover upon their flank, and by a heavy and well-directed fire entirely disconcerted this attempt.—This was the last feeble struggle of the enemy, who now, astonished and dismayed by the intrepidity with which they were assailed, began precipitately to retire, leaving the field covered with carnage. Above 700 bodies of their dead have been buried upon the ground.—The wounded and prisoners already in our hands (among which are gen. Compere, and an aid-de-camp, the lieut.-colonel of the Swiss regiment,

and a long list of officers of different ranks) amount to above 1000. There are also above 1000 men left in Monteleone and the different posts between this and Reggio, who have mostly notified their readiness to surrender whenever a British force shall be sent to receive their submission, and to protect them from the fury of the people.—The peasantry are hourly bringing in fugitives, who dispersed in the woods and mountains after the battle. In short, never has the pride of our presumptuous enemy been more severely humbled, nor the superiority of the British troops more gloriously proved, than in the events of this memorable day. His majesty may, perhaps, still deign to appreciate more highly the achievements of this little army, when it is known that the second division, which the enemy were said to be expecting, had all joined them the night before the action; no statement that I have heard of their numbers places them at a less calculation than 7000 men.—Our victorious infantry continued the pursuit of the routed enemy so long as they were able; but, as the latter dispersed in every direction, and we were under the necessity of preserving our order, the trial of speed became unequal.—The total loss occasioned to the enemy by this conflict cannot be less than 4000 men. When I oppose to the above our own small comparative loss, as underneath detailed, his majesty will, I hope, discern in the fact the happy effects of that established discipline to which we owe the triumphs by which our army has been latterly so highly distinguished.—I am now beginning my march southward, preparatory to my return to Sicily, for which station I shall re-embark with the army, as soon as his Sicilian majesty shall have arranged a disposition of his own forces to secure those advantages which have been gained by the present expedition.—There seldom has happened an action in which the zeal and personal exertions of individuals were so imperiously called for as in the present; seldom an occasion where a general had a fairer opportunity of observing them. The general officers, and those who commanded regiments, will feel a stronger test of their merits in the circumstances which have been detailed of their conduct, than in any eulogium I could presume to pass upon them. The 58th and Watteville's regiment, commanded by lieut.-cols. Johnstone and Watteville, which formed the reserve, under col. Oswald, were ably directed in their application to that essential duty.—The judgment and effect with which our artillery was directed by major Lemoine was, in our dearth of cavalry, of most essential use; and I have a pleasure in reporting the effective services of that valuable and distinguished corps.—To the several departments of the army, every acknowledgment is due; but to no officer am I bound to express them so fully, on my part, as to lieut.-col. Bunbury, the deputy-quarter-master-general, to whose zeal and activity, and able arrangements in the important branch of service which he directs, the army as well as myself are under every marked obligation. From capt. Tomlin, the acting head of the adjutant-general's department, and from the officers of my own family, I have received much active assistance. Among the latter I am to mention lieut.-col. Moore, of the 23d light dragoons, who being in Sicily for his health at the time of our departure

departure, solicited permission to accompany me on this expedition; he was wounded in the execution of my orders.—From the medical department under the direction of Mr. Grieves, the deputy inspector, I am to acknowledge much professional attention; the more so as their labours have been greatly accumulated by the number of wounded prisoners who have become, equally with our own, the subject of their care. The scene of action was too far from the sea to enable us to derive any co-operation from the navy; but admiral sir Sidney Smith, who had arrived in the bay the evening before the action, had directed such a disposition of ships and gun-boats as would have greatly favoured us had events obliged us to retire. The solicitude, however, of every part of the navy to be of use to us, the promptitude with which the seamen hastened on shore with our supplies, their anxiety to assist our wounded, and the tenderness with which they treated them, would have been an affecting circumstance to observers even the most indifferent. To me it was particularly so.—Capt. Fellowes, of the Apollo, has been specially attached to this expedition by the rear-admiral; and, in every circumstance of professional service, I beg leave to mention our grateful obligations to this officer, as well as to capts. Cocket and Watson, agents of transports, who acted under his orders.—Capt. Bulkeley, my aid-de-camp, who will have the honour of presenting this letter to you, has attended me throughout the whole of the services in the Mediterranean, and will therefore be able to give you every additional information on the subject of my present communication. J. Stuart, maj.-gen.

Total killed and wounded of the British troops, July 4.—One officer, 3 serjeants, 41 rank and file, killed; 11 officers, 8 serjeants, 2 drummers, 261 rank and file wounded.

Names of officers killed and wounded.—Killed, Light inf. batt. captain M'Leane, 20th foot.—Wounded, Grenadier batt. major Hammill, of royal reg. of Malta. Light inf. batt. major Paulett, 44th foot, severely. 78th foot, 2d batt. lieutenant-col. M'Leod; major D. Stuart; capts. D. M'Pherson and D. M'Gregor; lieut. J. M'Kay; ensigns C. M'Kenzie and P. M'Gregor.—81st foot, 1st batt. capt. Waterhouse; lieut. and adj. Ginger.—Staff, Lieut-col. Moore, 23d light dragoons, acting aid-de-camp to sir J. Stuart.

R. Tomlin, assist. adj. gen.

Downing-street, September 7.

A dispatch from H. Elliot, esq. to Mr. Fox, dated Palermo, Aug. 5, incloses the following from sir John Stuart.—Mr. Elliot observes, "That every fort along the coasts, all the depôts of stores, ammunition, and artillery, prepared for the attack of Sicily, are become the prey of the victors; and what, perhaps, may be considered as even of still more consequence than those advantages, an indelible impression is established of the superior bravery and discipline of the British troops."

Extract of a dispatch from sir John Stuart to Hugh Elliot, esq. dated Messina, August 3.

"Having occasion to send an express to my aid-de-camp, capt. Bulkeley, at Palermo, I avail myself of the opportunity to acquaint you with another fortunate result

of our auspicious day at Maida. Cotrone, with all its stores, magazines, &c. and 600 troops (now prisoners), capitulated on Wednesday evening last to the land and naval forces of his Britannic majesty, under lieut.-col. M‘ Leod of the 78th regiment, and capt. Hoste of the Amphion, who were assisted in their operations against that place, and upon the adjacent coasts, by the gun-boats of his Sicilian majesty. 300 prisoners, who prove to be survivors of the wounded after the action of the 4th ult., are already arrived in this fort. Gen. Regnier, who had endeavoured to hold his position, under much embarrassment for some time past, between Cotrone and Catanzaro, has retreated precipitately towards Tarento; and it was reported, when the transport left Cotrone, that he had been attacked by the masse, and had lost 6 or 700 of his flying people. I am now to congratulate you on the total evacuation of Calabria Ultra, in which single province, previous to the action of the 4th, we have every certainty that the enemy had a distributed force of at least 9000 men; of these, when gen. Regnier quitted his position near Cotrone, certainly not 3000 remained. The losses of the French in Upper Calabria have also borne a proportion. A great deal of heavy ordnance, lately transported by the French to Cotrone, besides what was found mounted on the castle, amounting in the whole to about 40 pieces, have fallen into our hands."

A dispatch from gen. Fox to Mr. Windham, dated Messina, Aug. 3, incloses extracts from two letters received from lieut.-col. M‘Leod, of the 78th regiment, which give a detail of the operations that led to the surrender of Cotrone. Much praise is bestowed on capt. Hoste, for the judicious manner in which he brought his frigate and the gun-boats to the annoyance of the enemy. In the second letter, speaking of the enemy's retreat from before Cotrone, in which a garrison was left of 1000 men, it appears that they retired precipitately amongst the mountains, endeavouring to pass by Cozenza. He adds—" The enemy's route from this city has been marked by circumstances of the most cruel devastation. The village of Strongoli, with several others within our view, which he conceived hostile to his cause, have been ransacked, and burned to the ground. Our information of yesterday stated, that 1000 men had been left to garrison the town and city of Cotrone; but several deserters, who joined us this morning, having mentioned that the greatest part of this force had marched to join their army in the course of the night, capt. Hoste agreed with myself in the propriety of summoning the town and citadel to surrender to the force under our orders, conceiving that the immediate possession of what we understood to be the enemy's sole *depôt*, and his *dernier ressort* in Lower Calabria, in point of position, together with the removal of his stores, &c. might contribute to prevent his attempt to re-enter the province."

[The terms were that the French should march out with the honours of war, and deposit their arms; after which they should be sent to Messina as prisoners of war. The private property of the officers and soldiers to be respected, and the public property to be delivered up.]

Downing-street, September 13.

The following dispatches have this day been received by Mr. Windham, from major-general Beresford,

ford, commanding a detachment of his majesty's troops in South America.

Fort of Buenos Ayres, July 2.

Sir,

I had the honour to communinate to you, by my letter dated the 30th April, the circumstances of my arrival at St. Helena, and the result of the application to the governor of that place for troops.—The fleet sailed thence the 2d of May, and, after a most unexpected long passage, made Cape St. Mary on the 8th of June. The Narcissus had been dispatched from the fleet on the 27th of May, and sir Home Popham thought it right to proceed in her for the purpose of making himself acquainted with the navigation of the river, that no delay might occur in proceeding immediately on the arrival of the troops to such place as our information should induce us first to attack. I had sent capt. Kennet of the royal engineers (not liking myself to leave the troops) in the Narcissus, to make such reconnoitring of the enemy's places on the river as circumstances would admit; and to collect every possible information concerning them, and the strength of the enemy at the several places. From fogs and baffling winds we did not meet the Narcissus until the sixth day after our arrival in the river; and I had there the satisfaction to see in company with her the Ocean transport, which had parted from us previous to our going to St. Helena. Sir Home Popham and myself immediately consulted, whether it would be better first to attack the town of St. Philip of Monte-Video, or Buenos Ayres, the capital of the province; and, after much reasoning, we determined to proceed against Buenos Ayres, which made it necessary to remove from the line-of-battle ships the troops and marines, and such seamen as were incorporated with the latter, and others that had been practised to arms during the passage, into the transports, and his majesty's ship Narcissus; which was effected on the 16th ult. And though then only about 90 miles from Buenos Ayres; still, though to his skill sir Home Popham added the most persevering zeal and assiduity, yet from fogs, the intricacy of the navigation, and continual opposing winds, it was not until the 24th at night that we reached opposite to it. We found ourselves the next morning about eight miles from the Point of Quilmes, where I proposed landing, having been informed by an Englishman, who was pilot for the river, and had been taken by the Narcissus out of a Portuguese vessel, that it was an excellent place, and an easy access from it into the country. As soon as the wind would permit, on the 25th, sir Home Popham took the shipping as near as it was possible for them to go, and at a convenient distance for disembarking, which was effected in the course of the afternoon and night, and without any opposition, the enemy remaining at the village of Reduction, on a height about two miles from us in our front: the whole intermediate space, as well as to the right and left, being a perfect flat: but my guide informed me, that though in winter it was impassable, it was then very practicable, and easy for us to pass. It was 11 o'clock in the morning of the 26th before I could move off my ground; and the enemy could, from his position, have counted every man I had; the numbers as

per margin*. He was drawn up along the brow of a hill, on which was the village of Reduction, which covered his right flank; and his force consisted principally of cavalry (I have been since informed 2000), with eight field-pieces. The nature of the ground was such, that I was under the necessity of going directly to his front; and to make my line, as much as I could, equal to his, I formed all the troops into one line, except the St. Helena infantry of 150 men, which I formed 150 yards in the rear, with two field-pieces, with orders, to make face to the right or left, as either of our flanks should be threatened by his cavalry. I had two six-pounders on each flank, and two howitzers in the centre of the first line. In this order I advanced against the enemy; and after we had got within range of his guns, a tongue of swamp crossed our front, and obliged me to halt whilst the guns took a small circuit to cross, and which was scarcely performed, when the enemy opened their field-pieces on us, at first well pointed; but, as we advanced at a very quick rate, in spite of the boggy ground that very soon obliged us to leave all our guns behind, his fire did us but little injury. The 71st regiment reaching the bottom of the heights in a pretty good line, seconded by the marine battalion; the enemy would not wait their nearer approach, but retired from the brow of the hill; which our troops gaining, and commencing a fire of small arms, he fled with precipitation, leaving to us four field-pieces and one tumbril; and we saw nothing more of him that day. I halted two hours on the field, to rest the troops. and to make arrangements for taking with us the enemy's guns and our own, which had now, by the exertions of capt. Donnelly of the Narcissus, been extricated from the bog.—He had accidentally landed, and accompanied the troops, on seeing them advance to the enemy; and I am much indebted to him for his voluntary assistance.—I then marched, in hopes of preventing the destruction of the bridge over the Rio Chuelo, a river at this season of the year not fordable, and which lay between us and the city; distant from it about three miles, and eight from our then situation; and, though I used every diligence, I had the mortification to see it in flames long before I could reach it. I halted the troops for the night a mile from it, and pushed on three companies of the 71st under lieut.-col. Pack, with two howitzers, to the bridge, to endeavour to prevent its total destruction. I accompanied this detachment; but, on reaching the bridge, I found it entirely consumed; and

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* Actual state of the troops under the command of major-general Beresford, at the Point de Quilmes, June 26.

After specifying the number of officers and men in each corps, the following is given as the total. 1 major-general, 1 major of brigade, 1 aid-de-camp, 1 assistant-quarter-master general, 1 assistant-commissary; 1 surgeon and 1 assistant-surgeon (of the staff); 1 captain, 3 lieutenants, and 4 midshipmen (of the royal navy); 2 lieutenant-colonels, 2 majors, 15 captains, 20 lieutenants, 7 ensigns, 1 paymaster, 1 adjutant, 1 quarter-master, 2 surgeons, 4 assistant-surgeons, 72 serjeants, 27 drummers, 1466 effective rank and file, 16 effective horses, 1 wheeler, 1 collar-maker, 4 artificers, 2 five-and-half-inch howitzers, 4 light 6-pounders, and 2 light 3-pounders.

W. C. Beresford, major-general.

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as the enemy during the night was heard bringing down guns, I withdrew the detachment before light, as their position was thought too open and exposed to the enemy's fire, who had, at nine o'clock, on hearing some of our soldiers go to the river to get water, opened a fire from their guns, and a considerable line of infantry. As soon as it was light, I sent capt. Kennet of the engineers, to reconnoitre the sides of the river; and found that on our side we had little or no cover to protect us, whilst the enemy were drawn up behind hedges, houses, and in the shipping on the opposite bank, the river not 30 yards wide. As our situation and circumstances could not admit of the least delay, I determined to force the passage, and for that purpose ordered down the field-pieces, which, with the addition of those taken from the enemy the day before, were 11 (one I had spiked and left, not being able to bring it off), to the water's edge, and ordered the infantry to remain in the rear, under cover, except the light company and grenadiers of the 71st. As our guns approached, the enemy opened a very ill-directed fire from great guns and musketry; the former soon ceased after our fire opened, the latter was kept up for more than half an hour; but, though close to us, did us but little or no injury, so ill was it directed. We then found means, by boats and rafts, to cross a few men over the Rio Chuelo; and, on ordering all fire to cease, the little of them that remained ceased also. The troops which opposed us during these two days appear to have been almost entirely provincial, with a considerable proportion of veteran officers. The numbers that were assembled to dispute our passage of the river, I have been since informed, were about 2000 infantry. I had no reason from their fire to suppose their numbers so great; the opposition was very feeble; the only difficulty was, the crossing the river to get at them. I cannot omit reporting to you that I had the most just cause to be satisfied with the conduct of every officer, and all the troops under my command: to lieut.-col. Pack of the 71st every praise is due, as well as to that excellent regiment. The battalion of marines, commanded by capt. King of the royal navy, not only behaved with the utmost good conduct, but with a discipline in the field much beyond what could have been expected, though every exertion to effect it had been used by commodore sir Home Popham, and every officer of the royal navy, during the passage. A corps of seamen, who had been drilled to small arms, were also landed; they were between 80 and 90 in number, and I was under the necessity of attaching them to draw the guns, which they did with a cheerfulness and zeal that did them great credit; and I was under great obligation to capt. King for his activity in preparing rafts, boats, &c. to pass the Rio Chuelo. Lieut.-col. Lane, and the St. Helena troops, also merit my thanks for their good conduct; as does captain Ogilvie, commanding the artillery, for the manner in which the guns were conducted and served. Capt. Kennet, of the royal engineers, was particularly serviceable by his intelligence and zeal; as were the hon. major Dean, my brigade-major, and the hon. ensign Gordon of the 3d guards, my aid-de-camp. By 11 o'clock A. M. I had got some guns and the greatest part of the troops

troops across the river; and seeing no symptoms of further opposition, and learning that the troops in general had deserted the city, motives of humanity induced me to send, by the hon. ensign Gordon, a summons to the governor to deliver to me the city and fortress, that the excesses and calamities which would most probably occur if the troops entered in a hostile manner might be avoided; informing him that the British character would insure to them the exercise of their religion, and protection to their persons and all private property. He returned to me an officer, to ask some hours to draw up conditions; but I could not consent to delay my march, which I commenced as soon as the whole had crossed the Rio Chuelo; and on arriving near the city, an officer of the governor again met me with a number of conditions, to which I had not then time to attend; but said I would confirm by writing what I had promised, when in possession of the city; and the terms granted and signed by sir Home Popham and myself I have the honour to annex. —I also transmit a return of the killed, wounded, and missing, on the 26th and 27th of June, as well as the return of the ordnance taken. —I cannot conclude without assuring you of the unwearied zeal and assiduity of commodore sir Home Popham, in whatever could contribute to the success of this expedition, and of the cordial co-operation and great assistance which I have received from him.

W. C. Beresford, maj. gen.
Sir D. Baird, commanding
in chief, &c.

Killed, wounded, and missing, on the 26th and 27th June.—St. Helena artillery, 1 rank and file wounded.—7th reg. 1 officer, 1 serjeant, 5 rank and file wounded.—St. Helena infantry, 1 rank and file wounded; 1 officer missing.—Royal marines, 3 rank and file wounded.—Corps of seamen, 1 rank and file killed.

Officers' Names.—Capt. LeBlanc, of the 71st regiment, shot in the leg; since amputated above the knee.—Assistant-surgeon Halliday, of the medical staff attached to St. Helena regiment, missing.

[The terms granted to the inhabitants of Buenos Ayres consist of 10 articles. After the usual stipulations respecting the entrance of the troops, &c. and the marching out of the prisoners with the honours of war, they state that all *bonâ fide* private property, whether belonging to the people, the churches, or the public institutions, shall be unmolested; that all the inhabitants shall receive protection: that the different taxes shall be collected by the magistrates, &c. as usual, until his majesty's pleasure be known; that every protection shall be afforded to the exercise of the Catholic religion; that the coasting vessels in the river shall be delivered to their owners; and that all public property shall be surrendered to the captors.]

Ordnance, &c. captured.—Iron ordnance, of different calibres, from 18- to 3-pounders, 45 pieces.—Brass ordnance, from 32- to 3-pounders, including mortars and howitzers, 41 pieces. Total 86.—550 whole barrels of powder, 2064 muskets with bayonets, 616 carbines, 4019 pistols, 31 musketoons, 1208 swords.

J. E. Ogilvie, capt. commanding royal and St. Helena artil.

Since the above return was sent to sir D. Baird, the following guns, left by the viceroy in his flight, have been taken, and arms, &c. received: —Brass ordnance 7 pieces, 139 muskets

muskets with bayonets, 71 muskets without bayonets, 85 pouches, and 39 swords.

Extract of a letter from major-general Beresford to lord Castlereagh, dated Fort of Buenos Ayres, July 11.

"I trust the conduct adopted towards the people here has had its full effect, in impressing upon their minds the honour, generosity, and humanity of the British character. His majesty's ministers will see, by the detail of our proceedings, that, after the army had passed the Rio Chuelo, the city of Buenos Ayres remained at our mercy, and that, in fact, the only conditions on which I entered were such as I pleased to offer, and which humanity and a regard to our national character would naturally induce me to give under any circumstances. However, to quiet the minds of the inhabitants, we not only consented to put in writing my promises, but acceded to many conditions not expected by them; and, contrary to direct stipulations, gave up to the proprietors all the coasting vessels captured, with their cargoes, of which I annex a return*, and the value of which amounted to one million and a half of dollars, and which, being done with the views already exposed, will, I trust, meet with his majesty's approbation. I have the honour to inform his majesty's ministers, that I had detached captain Arbuthnot, of the 20th light dragoons on the 3d instant, with a party consisting of seven dragoons, and 20 infantry (the whole mounted) to a place called Luxan, 50 miles distant. My principal object was, to have the country reconnoitred, and to see what were the dispositions of the inhabitants; but with the avowed object of escorting back some of the treasure which had been taken from hence, and to prevent its following the viceroy, which I had reason to suspect was intended, though it was said to be all private property; and in which case, we had declared, if brought back, it should be given to its owners, if of this city. Captain Arbuthnot returned last night; and I am glad to say with information of a pleasing nature; for your lordship will see, by this detachment passing so easily through the country, that whatever their present inclinations may be, there is no very great danger from any hostile intentions against us; and captain Arbuthnot reports rather favourably of the general dispositions of the people. The country to Luxan, as I have already represented, in general the whole of it, is a perfect flat, and the view of the horizon is obstructed by nothing but the immense herds of horses and cattle—but principally horned cattle. Luxan is situated on a river of the same name, and where there is a bridge over it, and the route leading to all the interior provinces; and I rather think it will be adviseable on many accounts that I possess myself of it, which I can do by a small detachment. Much of the treasure was caught actually going to Cordova; and the rest, but for the opportune arrival of the party, would have been pillaged. The waggons conveying this treasure may be expected here to-morrow.

* It has been found difficult to procure the return of vessels here alluded to, at least the names of all. They are of various classes, from 150 tons downwards, and amount in the whole to 180 in number.

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Those with the royal treasure, and that of the Philippine company, arrived some time since, and it is already embarked. The hon. major Deane, who is the bearer of these dispatches, will give any further information to his majesty's ministers that they may desire; and I beg to recommend him as an officer deserving of any mark of favour that his majesty may be graciously pleased to bestow on him."

Extract of a dispatch from major-general Beresford to lord Castlereagh, dated Fort of Buenos Ayres, July 16.

I am now able to transmit nearly an account of the money which has been received as prize, under the terms of my agreement with the acting governor of the place previous to my entering the town. The statement shows the various departments and public bodies whence the sums forming the total have been derived. The sum of 1,086,208 dollars is going home in his majesty's ship Narcissus, and sir H. Popham and myself have thought it right to reserve here, for the exigencies of the army and navy, a considerable sum; and for the purpose of keeping down the exchange on bills drawn by the respective services, and which would otherwise bring the dollar to an enormous price. It is estimated that the merchandise in the king's stores, principally Jesuits bark and quicksilver, and which is in the Philippine company's stores, with the little that is retained of floating property, will amount, if it can be disposed of, to between two and three millions of dollars. Of the bullion delivered in, some is claimed as private property, and which shall be delivered in the same spirit of liberality with which we trust it will be considered we have acted here. The 61,797 dollars were yesterday delivered to the consulada, on their assurance only that it belonged to the people of this town; and they have a claim upon 40 or 50,000 dollars more, which will be settled this day.

Total amount of money, &c. received in consequence of an agreement on June 28.

Embarked on-board the Narcissus 1,086,208. Remain in the treasury 205,115. Total 1,291,323 dollars.

Admiralty-office, Sept. 13.

Capt. Donnelly, of the Narcissus, arrived last night with the following dispatch from commodore sir Home Popham, addressed to W. Marsden, esq.

Narcissus, off Buenos Ayres, July 6.

Sir,

In the letter which I had the honour to address you from St. Helena on the 30th of April, I fully explained, for the information of my lords commissioners of the admiralty, the motives that induced me to press so strongly the urgency and expediency of undertaking an expedition against the enemy's settlements in the Rio de la Plata. I have, therefore, only to give you a short detail of the proceedings of the squadron, previously congratulating their lordships on his majesty's forces being in full possession of Buenos Ayres and its dependencies, the capital of one of the richest and most extensive provinces of South America. To the commerce of Great Britain it exhibits peculiar advantages, as well as to the active industry of her manufacturing

nufacturing towns. And when I venture, in addition, to assure their lordships of the extreme healthiness of the climate, I trust I only hold out a consolation, that the friends of every person employed on this expedition are justly entitled to, and which I am satisfied will be equally gratifying to the feelings of every British subject. As I considered it an object of material consequence to obtain the earliest local information in the river, I placed the squadron under the direction of capt. Rowley on the 27th of May, and preceded it in the Narcissus for that purpose. On the 8th ult. we anchored near the island of Flores; and, after passing Monte Video the following day, we detained a Portuguese schooner, by whom the intelligence we had formerly received was generally confirmed. On the 11th we fell in with the Encounter and Ocean transports near the south coast of the river; and on the 13th we joined the squadron. It was immediately determined to attack the capital; and no time was lost in removing the marine battalion to the Narcissus, the Encounter, and the transports, for the purpose of proceeding to Buenos Ayres, while the Diadem blockaded the port of Monte-Video, and the Raisonable and Diomede, by way of demonstration, cruized near Maldonado and other assailable points. Our progress up the river was very much retarded by the shoalness of the water, adverse winds and currents, continual fogs, and the great inaccuracy of the charts; but by the unremitting and laborious exertions of the officers and men I had the honour to command, these difficulties were surmounted, and the squadron anchored, on the afternoon of the 25th, off Point Quelmey a Pouchin, about 12 miles from Buenos Ayres. As it was impossible for the Narcissus to approach the shore, on account of the shoalnes of the water, the Encounter was run in so close as to take the ground, the more effectually to cover the debarkation of the army in case of necessity; the whole, however, was landed in the course of the evening, without the least opposition; consisting of the detachment of troops from the Cape, and that from St. Helena, with the marine battalion, under the orders of captain King, of the Diadem, which was composed of the marines of the squadron, augmented by the incorporation of some seamen, and three companies of Royal Blues from the same source of enterprise, which had been regularly trained for that duty, and dressed in an appropriate uniform. The enemy was posted at the village of Reduction, which was on an eminence about two miles from the beach, with the appearance of a fine plain between the two armies, which however proved on the following morning to be only a morass in a high state of verdure. This in some measure checked our advancement, nor did the enemy open his field train till the troops were nearly in the middle of the swamp, from whence he thought it was impossible for them to be extricated. The able and excellent disposition of general Beresford, and the intrepidity of his army, very soon, however, satisfied the enemy, that his only safety was in a precipitate retreat; for we had the satisfaction of seeing from the ships near 4000 Spanish cavalry flying in every direction, leaving their artillery behind them, while our troops were ascending the hill

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with that coolness, and courage, which has on every occasion marked the character of a British soldier, and has been exemplified in proportion to the difficulties and dangers by which he was opposed. I have probably trespassed on a line that does not immediately belong to me, but I could not resist the gratification of relating to their lordships what I saw; assuring myself, at the same time, they will be convinced, if the enemy had given the squadron an equal opportunity, I should have had the pleasing duty of reporting an honourable issue to the effect of their eminent zeal and exertions. On the 27th, in the morning, we saw some firing near the banks of the river Chello, but it blew so hard that it was totally impracticable to have any communication with the shore during that day. Early on the 28th, a royal salute was fired from the castle of Buenos Ayres, in honour of his majesty's colours being hoisted in South America, and instantly returned by the ships lying off the town. I now consider it to be a proper moment for acknowledging, in terms of the sincerest gratitude, my high sense of the zealous and animated conduct of every officer and man in the squadron which I have the extraordinary good fortune to command. Capt. Rowley, with captain Edmonds under his orders, continued as long as the weather would permit an advantageous demonstration off Maldonado. Capt. Donnelly, who did me the favour of requesting I would go up the river in the Narcissus, and to whom, from his rank, no specific service could be assigned in our small scale of operations, applied himself in every occasion where he could promote the objects of the expedition:—and, as he is charged with this dispatch, I take the liberty of recommending him to their lordships' protection, under a full conviction they will obtain, through him, every information which they have a right to expect from an officer of great intelligence and long meritorious service. I consider captain King, with the officers of the marine battalion, so completely under the report of general Beresford, that I shall only state to their lordships my extreme satisfaction on hearing personally from the general how highly he appreciated every part of their conduct, particularly the celerity with which they transported the artillery and troops across the Rio Chuelo after the bridge was burnt by the enemy. Lieut. Talbot, of the Encounter, manifested great zeal in every instance where it was necessary to call on him; Lieut. Groves, of the Diadem, was also very active in landing the ordnance and ordnance stores; and I think it highly proper to state to their lordships, that the masters and crews of the different transports behaved with great attention during the whole of this service. I inclose a copy of the terms (see p. 106) granted to the inhabitants after the capture of the city, by which their lordships will see that the coasting vessels in the river, supposed with their cargoes to amount to one million and a half of dollars, were restored to the proprietors; for an early record to the country of the great liberality of his majesty's government.

I am, &c. H. Popham.

I have sent lieut. Groves to take possession of Ensenada de Baragon, a port to the eastward of Buenos Ayres, where I understand there

there are two gun-vessels and two merchant ships. H. P.

23. We have to record another instance of the violence and atrocity of Bonaparte. A bookseller, M. Palm, residing at Nuremberg, formerly an imperial town, and under the special protection of Prussia, was dragged from his house to the fortress of Brannau, and there tried, and shot by the sentence of a French military commission on the 26th of August, for no greater crime than vending, in the way of his trade, a book respecting the government of France under Napoleon. He was a man of the highest integrity, and his unhappy fate is universally lamented. This atrocious act, placed beyond a doubt by private letters, is only slightly alluded to in the German papers. The fact is, that there is not one journalist within three days' journey of the French army, who has not the fate of the Nuremberg bookseller continually before his eyes.

OCTOBER.

2. Her royal highness the princess of Wales was this afternoon on her way to the seat of Mr. Locke, at Norbury Park, near Leatherhead, Surrey, in a barouche, attended by lady Sheffield and miss Harriet Mary Cholmondeley, and was driven by her royal highness's own servants. On their arrival at Sutton, they took post-horses, and were driven by the post-boys belonging to the Cock inn. Her royal highness's horses and servants were left to refresh, in order to take her home that evening. Her royal highness proceeded to Leatherhead, when, on turning a sharp corner to get into the road which leads to Norbury Park, the carriage was overturned, opposite to a large tree, against which miss Cholmondeley was thrown with such violence as to be killed on the spot. She was sitting on the front seat of the barouche alone. Her royal highness and lady Sheffield occupied the back seat, and were thrown out together. They went into the Swan inn, at Leatherhead. Sir Lucas Pepys, who lives in that neighbourhood, and had not left Leatherhead (where he had been to visit a patient) more than a quarter of an hour, was immediately followed, and brought back; and a servant was sent to Mr. Locke's, with an account of the accident. Mrs. L. arrived in her carriage with all possible expedition, and conducted the princess to Norbury Park, where sir Lucas Pepys attended her royal highness, and, as no surgeon was at hand, bled her himself. On the following day the princess returned to Blackheath. Her royal highness received no other injury than a slight cut on her nose, and a bruise on one of her arms. Lady Sheffield (wife of lord Sheffield), who was with her, did not receive the slightest injury.—An inquest was held on the 4th, before C. Jemmet, esq. coroner for Surrey, on the body of miss Cholmondeley, at the Swan inn, Leatherhead. It appeared, by the evidence of a Mr. Jarratt at Leatherhead, and of an ostler belonging to the inn, that the princess's carriage, drawn by four horses, with two postillions, while turning round a very acute angle of the road, was overturned. The drivers, through extreme caution, had taken too great a sweep in turning the corner, which brought the carriage on the rising ground, and occasioned its being upset. The carriage swung round a great tree before

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it fell. When the surgeon saw the princess of Wales, she most benevolently desired him to go up-stairs, as there was a lady who stood more in need of his assistance. The surgeon (Mr. Lawdell, of Great Bookham) then went to miss Cholmondeley, and found her totally deprived of life. There was a violent contusion on her left temple; and her death appeared to have been occasioned by the rupture of a blood-vessel. The jury returned a verdict of Accidental Death. Miss Cholmondeley was born in 1753, and was the daughter of the late hon. and rev. Robert Cholmondeley, rector of Hartingford-Bury, and St. Andrews, Hertford, who was son of the third earl of Cholmondeley, and uncle to the present earl. Her mother is living, and resides in Jermyn-street. On the 8th, at 12 o'clock, the remains of this unfortunate lady were interred in Leatherhead church, close to the spot where lady Thompson, wife of sir John Thompson, some years since lord mayor of London, is buried. The body was on the evening of the 6th removed from the Swan inn to an undertaker's near the church-yard, and was followed to the grave by her brother, George Cholmondeley, esq. one of the commissioners of excise; the hon. Augustus Phipps; William Locke, esq.; S. Gray, esq.; and several other gentlemen. The fatal spot where this amiable lady met her sudden death is still visited by crowds.

Admiralty-office, Oct. 4.

Letters from sir Charles Cotton, bart. dated on board H. M. S. San Josef, off Ushant, Sept. 30th, inclose the following:

Canopus, at sea, Sept. 29.

Sir,

I have to inform you with my falling-in with the French frigate Le President, of 34 guns, 330 men, commanded by Monsieur Gallier Labrosse, on the 27th inst. in lat. 47 deg. 17 min. N. long. 6 deg. 52 min. W.; and after a chase of 17 hours she struck to his majesty's squadron under my command. The President is one of the frigates that sailed from France with the Regulus, Sybille, and Surveillante corvette; separated in a gale of wind on the 20th of August, in lat. 22 deg. 26 min. N. and long. 55 deg. W.

THO. LOUIS.

Sir C. Cotton, &c.

Centaur, at sea, Sept. 26.

Sir,

Yesterday morning, about one o'clock, I had the good fortune of falling-in with a squadron of the enemy, standing to the westward; the squadron under my orders being then on the larboard tack, streching in for Chasseron light-house, six or seven leagues from us, the Revenge to windward and the Monarch to leeward, on the look-out, the latter ship first making the signal for an enemy, when I soon discovered seven sail to leeward of me; and considering them, in part, line-of-battle-ships, the signal was made to form the line, and shortly after I observed them bearing up, making all sail, and running to the S.S.W. The signal was instantly made for a general chase; and the Monarch, from her position and good sailing, was enabled to keep nearly within gun-shot, a mile and a half, or little more, ahead of the Centaur, and the Mars on the starboard bow. At daylight we made them out

out five large French frigates, and two corvettes, one of which bearing a broad pendant; at five the Monarch fired a few chase-shot; and at six the weather-most frigate hauled more to the westward, in pursuit of which I dispatched the Mars; and one frigate, with the two corvettes, edged away to the south-east; the remaining three frigates keeping in close order, indicating the intention of supporting each other. At a quarter past ten the Monarch opened her starboard guns on the enemy, when a heavy cannonading commenced, and by the enemy's management of a running fight, they succeeded, in some measure, in crippling the Monarch's sails and rigging before the Centaur could get up. At 11 we got within fair range of two, and opened our fire from the larboard guns, whilst the Monarch kept engaging the third ship, and about noon one of the two frigates struck, as did the one opposed to the Monarch shortly after. It was just before this I received a severe wound in my right arm, (since amputated, and doing well I hope,) which obliged me to leave the deck: the Mars, previous to this, had succeeded in capturing her chase, and, with her prize, hauled towards the Centaur, in chase of, and firing at, the French commodore's ship, and at three assisted in capturing her. Those ships of the enemy made an obstinate resistance; but the result was, as may well be supposed, attended with much slaughter, being crowded with troops, out of Rochefort the evening before. I cannot add too much praise to capt. Lee, of the Monarch, for his gallant and officer-like conduct; but I am sorry to find his loss has been rather severe, the swell of the sea preventing, at times, the opening of the lower deck ports. To capt. Lukin of the Mars I feel thankful for his steady conduct and attention; and I have also to express my satisfaction at the endeavours of captains Boyles, King, sir John Gore, and Masefield, in getting up with the enemy, although they could not succeed. The Revenge, from being well to windward, became considerably astern after bearing up. To lieut. Case, first of the Centaur, I have to add my approbation of his judicious conduct before and after my leaving the deck, and I also feel much pleased at the steady exertions of all my officers, seamen, and marines. I enclose herewith a return of the killed and wounded, and I also annex a list of the enemy's ships captured, and will make a return of their loss as soon as possible.

SAM. HOOD.

Sir C. Cotton, &c.

Return of the killed and wounded.

Centaur, 1 seaman and 2 marines, killed; capt. sir S. Hood, K. B. and 2 seamen wounded.—Monarch, Mr. Bidden, midshipman, and 5 seamen, killed; lieut. Anderson, Mr. Duffy boatswain, Mr. Geary midshipman, 3 petty officers, and 15 seamen, wounded; 1 serjeant, 2 corporals, and 4 private marines, wounded.—Total, 9 killed and 32 wounded.

List of the ships captured.

La Gloire, of 46 guns, commanded by M. Soleil, capitaine de vaisseau, carrying a broad pendant.—L'Infatigable, of 44 guns, commanded by M. Giradiers, capitaine de vaisseau.—La Minerve, of 44 guns, quite new, commanded by M. Colet, capitaine de frégate.—

frégate.—L'Armide, of 44 guns, two years old, commanded by M. Langlois, capitaine de frégate. Remarkably fine ships of large dimensions, mounting 28 French 18-pounders on their main decks, 30 pounder carronades on their quarter decks and forecastles, and about 650 men (including troops) in each ship, full of stores, arms, ammunition, and provisions, &c. La Themis, of 44 guns, old, escaped.—La Sylphe, of 18 guns, new, escaped.—La Lynx, of 18 guns, new, escaped.

[This Gazette also contains two orders in council, dated Oct. 1; the first confirming the reduction made by the commanders of the British forces at Buenos Ayres, in the duties chargeable on the exportation of hides, viz. from two to one real upon each ox hide, and from one real to half a real on each horse hide, provided they be exported in British bottoms, or by the natives of Buenos Ayres. The other authorises the governors of our trans-Atlantic possessions to allow live stock to be imported into the several settlements, under the conditions of the order of the 17th ult.]

Funeral of Mr. Fox.

11. Yesterday was the day appointed for the solemn interment of the remains of the right hon. C. J. Fox. It happened to be the twenty-sixth anniversary of his first election for the city of Westminster. By ten o'clock all was bustle and confusion at the west end of the town, the people crowding from every quarter to take their stations in the line through which the funeral procession of the much-lamented Mr. Fox was to pass. The windows and steps of the different houses in Pall-Mall, and all the other streets in the line, were by ten o'clock all occupied. At this hour a numerous body of horse guards arrived, and were distributed along the line, to prevent carriages from breaking into it. Indeed, every precaution had been previously taken to prevent this kind of disorder, as the different avenues leading to the Stable-yard were blocked up, and no carriages were allowed to enter, except those which carried company who were to attend the funeral.

The streets through which the procession was to pass, were gravelled over; the passages leading into Pall-Mall, Charing Cross, Parliament-street, &c. were fenced up by a temporary railing and gate-ways.

The royal Westminster, colonel Robertson; the loyal city of Westminster, the hon. colonel Eden; the St. James's, colonel lord Amherst; the royal York Mary-lebone, colonel lord viscount Duncannon; the prince of Wales's, colonel M. P. Andrews; the loyal British artificers, colonel Burton; and several other corps of volunteers paraded at an early hour, and lined the streets. Eleven o'clock was the hour for assembling at his house in the Stable-yard. By his majesty's gracious order, the carriages after setting down were permitted to pass through St. James's park. The noblemen, members of the house of commons, dignitaries of the church, members of the whig club, electors of Westminster, and gentlemen from distant parts of the country, were shown into different apartments as they entered the house. Hundreds came dressed in scarves, and many of them were habited in cloaks. They were marshalled according to their several descriptions. Three or four

four bands of the best musicians in the metropolis, with the singing boys, were appointed to perform the Dead March in Saul, which, by its impressive power over the heart, disposes to a pious melancholy; but some of the friends of the deceased thought that this would have too much the air of spectacle, and therefore the bands did not march, but were stationed at intervals—one at St. James's palace, one at Carlton-house, one at the Admiralty, one at the entrance to the Abbey, besides the bands of all the volunteer corps, the muffled drums, &c.

It was nearly two o'clock before the procession was in motion. The most solemn and impressive silence prevailed among the people, and the populace were more orderly than could be expected in so vast a concourse of people. The procession moved on in the order we have already described to Westminster abbey.

The mourners in coaches were—

Lord Grenville,	Lord Ellenborough,
Earl Spencer,	Lord Henry Petty,
Mr. Windham,	Lord Sidmouth,
Mr. Grenville,	Mr. Plumer,
Earl Moira,	&c. &c. &c.

And there were above one hundred members of parliament on foot.

The hearse was entirely of a new construction. Instead of being a closely covered vehicle, as those dismal conveyances in general are, it was an open hearse, but the pillars were not seen, neither was any motion of the wheels to be perceived.—It was a magnificent hearse, of a simple and elegant form, richly covered with black velvet, which hung in draperies, trimmed with black fringe, surmounted with lofty plumes. It was lofty and large in all its dimensions, and the whole being in black velvet without any mixture of colour, gave it a simple and grand effect. On a sarcophagus, in the centre of the car, the coffin, ornamented with the arms of the deceased, and a simple inscription, was laid in open view.

On the procession arriving at the abbey, the loyal city of Westminster volunteers, commanded by the hon. colonel Eden, lined the entrance from Old Palace Yard, through St. Margaret's burial ground, to the west door, also in the Abbey, as far as the inner gate. The procession then moved in the following order on foot:—

Electors of Westminster.
A deputation of the Whig club.
Ten of the king's singing boys.
Seven minor canons.
Rev. Mr. Champneys, prebendary of the chapel.
Eight choristers.
Rev. Dr. Ireland, Dr. Parr, and Dr. Raine.
High bailiff and constable.
Fifteen extra choristers, in surplices.
Rev. Mr. Wheeler.
Two banners.
Crest and cushion borne by a gentleman.

Earl of Carlisle — Earl of Albemarle.

THE BODY.

Duke of Devonshire — Earl of Thanet.

Duke of Norfolk — Lord Chancellor.

LORD HOLLAND,
Supported by
Viscount Howick — Earl Fitzwilliam.
Mr. Trotter (the deceased's private secretary), lord Holland's train-bearer.
The procession was closed by the Whig club.

The anthems and music were the works of the celebrated Mr. Purcell and Dr. Croft.

Mr. Cooke and Mr. Smith (composer to his majesty) presided at the organ; and the service was read by Dr. Ireland.—During the funeral service lady Holland and three sons, with two other ladies, were in the gallery, which was hung with black.

The grave was raised by a platform, with a railing covered with black. At the head of the coffin, inside the railing, was lord Holland, surrounded by the pall-bearers. The grave eight feet deep, bricked and paved.

Besides twelve mourning coaches and six, and three mourning coaches and four, the carriages belonging to the following noblemen and gentlemen were in the procession.—After Mr. Fox's own, that of

Lord Holland—then those of
Lord Grenville.
Lord Henry Petty.
Earl Spencer.
The right hon. William Windham.
The right hon. Thomas Grenville.
The dukes of Norfolk and Devonshire.
Earls — Fitzwilliam, Cowper, Selkirk, Jersey, Cholmondeley, Moira, Barrymore, Besborough, Thanet, and Percy.
The Lord Chancellor.
Lords—Ellenborough, G. H. Cavendish, William Russell, and Petre.
The two countess dowagers of Buckinghamshire.
Sirs—R. Barclay and J. Aubrey.
The duchess of Leinster and Mr. Ogleby (her husband).
Messrs.—Langley, Beckley, Jervis, &c.

Every part of the ceremony was most solemn and impressive. And what particularly contributed to the effect was, the orderly demeanour and silence of the immense multitudes which were assembled in the streets. But such was the judicious arrangement made by the police magistrates on the one hand, by stationing their officers in the various divisions so

as

as to embrace every avenue, and the dispositions of the horse and foot guards, with the volunteers under the command of major-generals Ainslie and Calvert, that not the most trifling disorder occurred.

The body was removed on Thursday night from the private chamber to the saloon, which was previously lined with black cloth. The coffin was placed on tressels, with six wax candles, three on each side. Bannerols, and other of the usual insignia, were placed around in the usual form. The apartment was illuminated during the night.

Admiralty-office, Oct. 17.

A letter from sir J. Saumarez, bart. and K. B. rear-admiral of the red, to W. Marsden, esq. dated Guernsey, Oct. 15, 1806.

Sir,

I herewith inclose, for the information of my lords commissioners of the admiralty, a letter I have received from capt. Thicknesse of his majesty's sloop Sheldrake, giving an account of a gallant and spirited attack made by the Constance, Sheldrake, and Strenuous gun-brig, commanded by lieut. Nugent, on the French frigate La Salamandre, which they succeeded in capturing, after a close and severe action; the enemy's ship being supported by a strong battery from the shore, and numerous troops with field pieces and musketry. Whilst I sincerely lament the death of capt. Burrowes, with the other brave men who have fallen in this enterprise, I cannot too highly applaud the persevering exertions made by capt. Thicknesse, the officers and men under his orders, to prevent the Constance, after she had taken the ground, from falling into the enemy's hands; and it is a satisfaction to know that their efforts so far prevailed, as to have rendered her totally useless to the enemy, having left her a perfect wreck under the battery. The Salamandre having also grounded, they succeeded in destroying by setting fire to her.

I am, &c. JAMES SAUMAREZ.

P. S. I inclose a return of the killed and wounded, as far as capt. Thicknesse has been enabled to collect the returns. The return of missing has not yet been transmitted to me. The number of French prisoners is 55, several of whom are wounded.

Sheldrake, St. Aubin's Bay, Jersey, Oct. 14.

Sir,

I have the honour to inform you, for the information of the lords commissioners of the admiralty, that his majesty's ship Constance, in company with the Sheldrake, Strenuous, and Britannia hired cutter, weighed on the 12th inst. at six *a. m.* from the anchorage at Chansey, with the tide of ebb, and a light breeze at S. E.: on standing-in to reconnoitre St. Maloes, a sail was discovered off Cape Frehol, to which the squadron gave chase, employing their sweeps nearly the whole way. It was soon discovered by her manœuvres, the chase was an enemy, who about noon succeeded in getting into Bouche d'Arkie, hauling close in with the rocks, and carrying out bow and quarter springs, and otherwise preparing for an obstinate defence, covered by a strong battery of guns on the hill, as well as field-pieces and musquetry employed by the troops

brought down for that purpose: in this state they waited to receive us: their determined appearance only increased the ardour of the brave capt. Burrowes (who, I am sorry to add, fell gloriously by a grape-shot in the heat of action). The Sheldrake, by superior sailing, had the good fortune to lead into action, followed by the Strenuous, the squadron being anchored within pistol-shot of the enemy, with springs on their cables; at two *p. m.* a most spirited fire commenced on both sides, which was supported with great gallantry and obstinacy on the part of the enemy's ship, till four *p. m.* when it pleased God to give us the victory; I sent my first lieutenant to take possession of her, and the British colours were immediately hoisted. She proves to be the Salamandre, a French frigate-built ship, mounted with twenty-six long twelve and eighteen pounders, and manned, by their own account, with one hundred and fifty men, and was commanded by a lieut. de vaisseau, who was killed in the action; she was bound from St. Maloes to Brest, with ship timber. His majesty's ship Constance having taken the ground, and the prize also aground, every exertion was used to get both ships off, but, I am sorry to add, without success; the fire of the cannon and musketry from the shore becoming now so galling and tremendous, that the people could not show themselves on deck. The Constance having cut both cables during the action, and the warps which had been run out to heave her off, shot away; at the moment of her floating she drifted with the wind on shore, further on the rocks, which obliged the officers and crew to abandon her (without firing her), the decks being filled with wounded. Observing however, as the tide rose, she began to float, I was induced, great as the risk was, to make another attempt to save her, which also proved unsuccessful, those employed on this service being either killed or made prisoners. Night now closing on us, it became necessary to consult the safety of the Sheldrake and Strenuous (the latter with her foretop-mast shot away); at break of day I stood in to see if any thing further could be done, and was happy to observe the Constance was high and dry on the rocks under the battery, lying keel up, a perfect wreck. The prize, which had not drifted so far in, I succeeded in totally destroying by fire at low water; I have saved about 100 of the officers and crew of the Constance; of those missing, I hope most are made prisoners, though I fear some may have fallen in the second attempt to recover his majesty's ship. The lamented death of my respected friend capt. Burrowes (who, had he lived, would have given their lordships a more clear and detailed account than I am able to do of this affair) leaves me the duty of bearing testimony to the determined courage, coolness and ardour displayed by every officer and man in the squadron. I must particularly mention the assistance I received from my first lieutenant Richard Kevern, a most meritorious and old officer, whom I presume to recommend to their lordships' favourable notice. I must also bear testimony to the zeal and bravery of lieut. Nugent, commanding the Strenuous gun-brig, who on this as well as former occasions has ever shown himself a gallant and zealous officer. Lieut. William Lawrence, my second lieutenant, to whom I committed

mitted the service of destroying the prize, performed it very much to his own credit and my satisfaction. I am sorry to state that Mr. Henry Fraser, master of the Sheldrake, who volunteered in the most gallant manner to accompany Mr. Richards, first lieutenant of the Constance, in the second attempt to save the ship, is among the missing. I herewith have the honour to inclose as correct a list of the killed and wounded as, from circumstances, I have been able to obtain: as also a list of prisoners saved from the prize.

JOHN THICKNESSE.

P. S. As lieutenant Lawrence saw about thirty killed lying on the Salamander's decks, I conceive the slaughter on board her must have been very great. Numbers of her crew escaped in boats, and by swimming to the shore, on her striking. JOHN THICKNESSE.

Killed and wounded on board the Constance, Sheldrake, and Strenuous, on the 12th inst.

Constance:—Killed, capt. Burrowes; Ben. Leviston, serjeant of marines; W. Bunbridge, J. Charlotte, E. Ryan, seamen; J. M'Ireson, quarter-master; R. Robinson, boatswain's mate; J. Gillford, quarter-master; J. Wilson (2), quarter-master.—Since dead of their wounds: I. Coglan, seaman; T. M'Andrew, marine; J. Patterson, quarter-master; J. Giles, marine.—Slightly wounded: Mr. Richards, first lieutenant; J. Navy, J. Clark, T. Howe, T. Little, P. Murrow, E. Trout, J. Flynn, S. Breasur, R. Wallas, seamen.—Badly wounded: D. M'Cawley, boatswain; W. Morton, marine.

Sheldrake:—Killed, J. Brown, seaman.—Wounded, E. Hunt and J. Culbett, seamen.

Strenuous: — none killed. — Wounded, R. Bond, midshipman, slightly; J. Buttersley, marine, severely; H. Howard, seaman, J. Bale quarter-master, and J. Hawkins marine, slightly.

Salamander: Killed not known Wounded (now on board the Sheldrake) nine, two since dead.

JOHN THICKNESSE.

NOVEMBER.

Plymouth, Nov. 2.—Last night and this morning it blew a terrible gale of wind at S. W. with a heavy rolling sea in the Sound; in short, the most tremendous storm we have experienced this season: the men of war in the Sound, Cawsand bay and Hamoaze rode out the gale of wind very well; but last night, in the height of the hurricane, a fine West Indiaman from Honduras broke from her moorings in the Sound, and ran plump ashore on the rocks under the West Hoe, and went to pieces; the crew of her were all saved by the activity of the Clatton's boat, in which capt. Selcombe exerted himself so much as reflects the highest credit on him as an officer and a man. The pilot was the only person drowned. The cargo will, being solid, most probably be saved, or the greater part of it.

Plymouth, Nov. 5.—Letters from Exmouth state the melancholy news of the total loss of that fine privateer, belonging to this port, near the Bar of Exmouth, on the coast of Devon, the Thornborough, of 16 guns, capt. Crewte, and 50 men, in the tremendous hurricane of Sunday night; and we are sorry to add, that captain Crewte and seven men were unfortunately drowned; the rest got on shore on pieces of the wreck, and were pro-

videntially saved: she was one of the completest privateers fitted out from this port.

COURT OF KING'S BENCH,
Nov. 18.

The King *v.* A. Charles.

Mr. Garrow applied for leave to file a criminal information against this defendant, for a gross and scandalous libel, which he had published respecting lord Moira, imputing to that nobleman the most disgraceful practices; charging him with abusing his public station, for purposes of stock-jobbing; and with having participated in the emoluments others were enabled to make, by disclosing the secrets of government, which had been officially and confidentially intrusted to his lordship. The libel was contained in a private letter to lord Grenville, pointing out to him the necessity of taking steps, to guard against the malpractices imputed to lord Moira.

The learned counsel here read the libel. It commenced by observing, that its contents were of too important a nature to need any particular apology. The writer venerated the character of lord Grenville too much, not to separate his lordship from the odium which attached itself to two members of the cabinet, who would bring down disgrace and ruin on the whole administration. It stated that lord Moira lent his name to the most important disclosures, and Alexander Davison, as his broker, participated in the profit. Nay more, the defendant had seen one or two runners of newspapers, who had boasted of communications from lord Moira with the utmost confidence. A letter, too, he asserted, had been shown on Change from his lordship, which spoke of the expected arrival of a messenger from France. He next observed, that lord Moira always held himself too cheap; and the writer feared, that something like a sense of gratitude might lead his lordship beyond the strict line of his duty. After expressing the high respect the defendant entertained for the character and conduct of lord Grenville, he concluded by observing, that the communication was made in the most strict confidence; but that, if his lordship should require proof of the facts stated, the writer was prepared to adduce it.

Mr. Garrow then continued. He said that he had in his possession numerous affidavits from lord Grenville, lord Spencer, lord Moira, Mr. Alexander Davison, and Mr. John Battye, who was supposed to have shown the letter respecting the messenger from France, all of whom denied, in the most positive terms, every circumstance stated in the libellous communication. The learned counsel therefore trusted, that for the sake of the public tranquillity, as well as to rescue the character of the noble lord, which had been so grossly calumniated, the court would grant the object of this application.

The affidavits were then handed to the clerk of the court, and read.

The affidavit of William Christmas identified the hand-writing of the defendant to the libel, which he had himself acknowledged to lord Grenville.

The court inquired in what situation of life the defendant was, and was answered that he was a clerk in the bank of England.—Rule to show cause granted.

20. Late on Monday night, or early

early on Tuesday morning, the chapel belonging to Greenwich hospital was broke open. Upon the discovery being made on Wednesday morning, lord Hood, the governor of Greenwich hospital, sent information to Bow-street office. In consequence, Anthony was dispatched there. He examined the premises, and found the strong outer door had been broke open, also the inner one, which is made of solid mahogany, near four inches thick, and which, we understand, cost 500*l.*; the vestry door was likewise broke open, and the iron chest, in which the sacrament plate is deposited, had been attempted, in which act it was supposed the villains broke their iron crow, as part of one was found near it, and there is no doubt but the plate was their object; they however made off with two of the minister's surplices, the sacrament linen, the gold fringe belonging to the pulpit, &c.

COURT OF KING'S BENCH,
Monday, Nov. 24.

The King *v.* General Thomas Picton.

Our readers will recollect the trial of the defendant for inflicting torture, in the island of Trinidad, upon Louisa Calderon. The trial took place on the 24th of February last, and is to be found in this volume under that date. In the last term Mr. Dallas, as counsel for general Picton, had obtained a rule to show cause why a new trial should not be granted, on the ground of the misrepresentation of the contents of a certain book called the *Recopilacion*, containing the laws for the government of the Spanish West Indies, in the evidence of Peter Vargas, who had stated, that it contained no authority for the infliction of torture. The question, whether the new trial should be granted, came on this day to be argued.

Before the discussion commenced, and after the minutes of the trial had been read by lord Ellenborough,

Mr. Garrow said, that although he wished it to be distinctly understood that he did not oppose any indulgence the court might think fit to grant the defendant, yet he felt it his duty, as counsel for the prosecution, to apprize their lordships of one circumstance. To support the motion for a new trial general Picton had thought fit to file affidavits, made under the direction of the deputy governor of the island of Trinidad, without any authority from the court, and not under the mandamus formerly issued for the purpose of taking depositions. He therefore hoped, that at least, if the court did not entirely reject that testimony, it would allow the prosecutors time to answer it.

Mr. Dallas wished to owe nothing to the lenity of the counsel for the crown, though, if necessary, he might claim something from the indulgence of the court. The affidavits to which his learned friend had objected, were made under the following circumstances, and their lordships would judge if they were not sufficiently authenticated to be received as evidence. It would be in the recollection of those present at the trial, that a book had been produced, styled in the Spanish language *Recopilacion de Leyes*, or a collection of the laws for the government of the Spanish West Indies, with respect to which Mr. Peter Vargas had sworn, that it contained nothing authorizing the infliction

infliction of torture. This testimony was literally true, but substantially false: for although the book certainly contained nothing to warrant the infliction of torture in itself, yet in it was a passage, directing, that where that book should be silent, resort should be had to the laws of Old Spain. When, therefore, it was heard in Trinidad, that general Picton had been found guilty on the ground of torture not being authorized, the deputy governor for his own vindication, having made use of it, as well as for the justification of the defendant, immediately employed himself with several alcaldes to make affidavits, formed upon research, containing an explication of the laws which regulated the island. These were transmitted, as official documents, to the secretary of state; and the court would decide if these affidavits, viewed in that light, were not to be read as an exposition of the law, upon which the defendant must be supposed to have acted.

Lord Ellenborough, and the other judges, were decidedly of opinion, that testimony brought forward in this form was totally inadmissible. The deputy governor had undertaken to produce them, without any authority from the court, merely for the purpose of justifying his own acts. But supposing that they could be read, it would be absolutely necessary that the other side should have an opportunity of answering them.

Mr. Dallas observed, that among those documents, was the testimony of a person who swore to the application of torture a few years before the surrender to general Abercrombie, viz. in 1792.

The affidavit of Mr. Richard Walter Forbes, attorney for the defendant, was then read. It stated, that after diligent search in the various public libraries, it was not until a late period that any copy of the *Recopilacion de Leyes* could be procured; but that it had lately been discovered in the library of the London Institution.

Lord Ellenborough recommended, as the documents from Trinidad, of which the court could take no cognizance, might be of importance to the defence of general Picton, that a commission for taking depositions should be agreed to by the counsel for the prosecution.

To this suggestion Mr. Garrow readily consented.

Admiralty office, Nov. 25.

Copy of a letter from vice admiral the right hon. lord Collingwood, commander in chief of his majesty's ships and vessels in the Mediterranean, to Wm. Marsden, esq. dated on board his majesty's ship the Ocean, off Cadiz, the 3d of November, 1806.

Sir,

When the convoy first appeared in the Streights, rear-admiral Purvis, who was at Gibraltar, sent out the ships and gun-boats which were there; one of the latter, commanded by lieut. Foote of the Queen, attempting to rescue a vessel which was taken, unfortunately found the one which had her in tow so superior, that, after a contest which was highly honourable to him and his men, and having lost in killed and wounded a great part of his boat's crew, he was obliged to surrender, and the gun-boat was taken. I inclose, to be laid before their lordships, lieut. Foote's letter, with a list of killed and wounded.

I am, &c.

COLLINGWOOD.

Town

Town of Tarisso, Oct. 26, 1806.

Sir,

With heartfelt anguish I acquaint you of the capture of his majesty's gun-boat Hannah, yesterday forenoon, by a Spanish privateer of four guns, and seventy men; trusting, after a circumstantial account, which I feel it my duty to write you on this melancholy occasion, you will see the few brave fellows I commanded, did their duty, and that the British flag was not tarnished on this occasion.

Being off Cabaritta Point, I discovered a latine rigged vessel in the middle of the Gut, a few miles to leeward of me, towing a merchantman towards the Spanish coast; and conceiving it my duty to endeavour to regain her, I made all sail after him, and upon coming within gun-shot, I perceived she was a large three-masted Spanish privateer, of much superior force to the gun-boat; I therefore, after exchanging a few shot, and finding she knew her superiority, by casting off the tow and tacking after me, endeavoured to escape—she soon however got so close as to do execution with her grape: and our ammunition being nearly exhausted, I determined to try the event by boarding her; but on coming alongside, such a number of men jumped into us as obliged us to act on the defensive. After fighting on the deck about ten minutes, I looked around and saw scarce an Englishman standing, and another privateer coming up close to us; I therefore determined to save the lives of the few brave fellows that were left by striking the British flag. I send this with Mr. Spargo, midshipman, to whom I am indebted for writing this (being wounded in my left arm, for which the doctor has blooded me in the other), as well as for his bravery during the engagement, and I cannot finish without saying how much I owe to the bravery of young Mr. Millett, midshipman, and the whole of the crew. I herewith send you a list of killed and wounded,

and remain, sir, &c.

(Signed) JOHN FOOTE.

To John Child Purvis, esq. rear-admiral of the white, &c. &c. Gibraltar.

Killed.—Griffiths, cockswain of the gun-boat; William Marslin, seaman; Dennis Bulcure, ditto; Patrick Saul, ditto; and Matthew Sullivan, ditto.

Drowned.—James Robinson, seaman; and Thomas Price, ditto.

Wounded.—John Haddock, seaman, since dead; John Gustaff, seaman, badly; Alexander Dickey, seaman, ditto; Thomas Shepherd, seaman, badly in several places; Owen Morgan, seaman, badly; Samuel Paul, ditto, ditto; Daniel Carey, ditto, ditto; James Pollet, ditto, ditto; Peter Peterson, ditto, slightly; Noble Ducham, ditto, ditto; and Adam Davison, ditto, ditto.

Admiralty-office, Nov. 29.

Copies of letters and their inclosures, from vice-admiral Dacres, commander in chief of his majesty's ships and vessels at Jamaica, to Wm. Marsden, esq. dated Shark, Port Royal, Oct. 1, 1806.

Sir,

I am much gratified in transmitting you, for the information of the lords commissioners of the admiralty, the copy of a letter I have just received from capt. Brisbane of the Arethusa, acquainting me of the capture of his catholic majesty's

majesty's frigate Pomona, the destruction of twelve gun-boats, and the explosion of a castle mounting sixteen 36-pounders, by that ship and the Anson.—The success attending this bold enterprise, I trust, their lordships will agree with me, captain Brisbane was well entitled to, for the promptness and decision with which he anchored in such shoal water, to attack a force of such magnitude. The destruction of the gun-boats was occasioned by the Anson's well-directed fire. The conduct of all concerned will, I trust, be honoured by their lordships' approbation.

Yours, &c.

J. R. DACRES.

Arethusa, off the Havannah, August 23.

Sir,

I have the honour to inform you of a successful attack having been made by his majesty's ships Arethusa and Anson on the enemy near Moro castle, in the island of Cuba, on the morning of the 23d instant. The result has been the capture of the Spanish frigate Pomona, of 38 guns, with a complement of three hundred and forty-seven men, and the destruction of twelve gun-boats, each carrying a 24-pounder, with a complement of a hundred men each, and the explosion of a castle mounting sixteen 36-pounders.—I trust you will excuse my entering into a detail of the service performed; in justice to the officers and men under my orders, I feel it right you should be made acquainted with the particulars.—On the morning of the 23d instant, I discovered the enemy within two miles of the Moro castle, rather to leeward, carrying all possible sail to get into the Havannah. I therefore made the signal to lay the enemy on board on coming up with her, but my design was frustrated by the Pomona bearing up, having been joined by twelve gun-boats from the Havannah, and anchoring within pistol shot of a castle mounting sixteen 36-pounders, in three fathoms and a half water. The gun-boats advanced from her in a line a-breast.

These boats were sent out expressly to protect the Pomona at her anchorage. This line of defence certainly appeared formidable, added to a lee shore: but difficulties with British seamen are easily got the better of; and well knowing the able and gallant support I should meet with from captain Lydiard, I decided instantly to attack the enemy in their strong position, and bore up for that purpose, having previously passed a bower cable through the stern port. In going down both ships suffered considerably in their sails and rigging from the raking fire of the gun-boats, the Pomona and castle reserving theirs until we anchored. At ten *a. m.* I anchored his majesty's ship Arethusa close alongside the Pomona, in one foot more water than the ship drew; the Anson on my larboard bow; when the action became general, but not of long duration. The Pomona having struck her colours in thirty-five minutes, three gun-boats blew up, six were sunk, and three driven on shore on the breakers. Notwithstanding the severe fire from the castle, the Pomona was instantly taken possession of by lieutenant Parish, first of the Arethusa, and followed by lieut. Sullivan, of the Anson. The castle had now commenced firing red-hot shot, which occasioned the Arethusa to be set on fire, but was soon extinguished by the

the very proper arrangements of lieutenants Higman and Griffith, commanding the main deck. Shortly after a melancholy and dreadful explosion took place in the castle, after which all firing ceased. It now becomes a pleasing part of my duty to recommend to your particular notice the steady and gallant conduct of captain Lydiard, the officers and men of both ships, all appearing to be animated with the same enthusiastic zeal.

I have &c.

(Signed) CHARLES BRISBANE.

Vice-admiral Dacres, &c. &c.

A list of killed and wounded.

Arethusa—2 killed and 32 wounded.

Anson—None killed or wounded.

Spanish frigate Pomona—Captain and 20 men killed; 2 lieutenants and 30 men wounded.

Gun-boats.—The loss of men must have been considerable, as very few of them reached the shore, from those boats which were blown up and sunk.

(Signed) CHARLES BRISBANE.

The Pomona was from Vera Cruz, bound to the Havannah, laden with specie and merchandize.—The money belonging to the king was landed at the castle by the governor of the Havannah, and the Spanish admiral, who had previously come out to place the Pomona in safety, as they considered her under the protection of the castle, and had only left her ten minutes before the action commenced. The freight belonging to the merchants, with plate and various kinds of merchandize, I have captured.

(Signed) CHARLES BRISBANE.

A list of the killed and wounded.

Killed.—Seamen—Jerem. Reed and John Sloane.

Wounded.—Capt. Brisbane, but did not quit the deck; lieutenant Higman, of the navy; lieutenant Fennell, of the marines.

Seamen—Lazarus Thornton, Robert Taylor, Matthew Homes, John Reid, John Smith, William Priddle, Henry Durand, George Walmer, Robt. Cobbie, Thomas Phillips, James Smith, Matthew May, John Prince, James Conway, Thomas Butler, Richard Oaks, William Campbell, Crawford Binsey, Joseph Powell, John Serrel, George Ferry, John Sheppard, John Eustus, William West, William Maunder, John Howard, and John Caulker.

Marines.—George Taylor, and William Spence.

Total.—2 killed, 32 wounded.

(Signed)

CHARLES BRISBANE, captain.
ROBERT MEGAN, surgeon.

His majesty's ship Shark, Port Royal, 4th October, 1806.

Sir,

I inclose for the information of the lords commissioners of the admiralty the copy of a letter I have received from captain James Richard Dacres, of the Bacchante, acquainting me of the boats of that ship having cut out, from the harbour of Santa Martha, an armed brig, and two armed feluccas, without loss.

I am, &c.

J. R. DACRES.

His majesty's ship Bacchante, off Cape Aguga, September 1, 1806.

Sir,

In reconnoitring the harbour of St. Martha I perceived lying there a brig and two feluccas, and judging it practicable to bring them out,

out, or at least destroy them, on the night of the 29th ult. I dispatched the boats under the command of lieut. Norton, whose abilities as an officer, and knowledge of the place, promised success (assisted by the officers named in the margin *). They arrived at the entrance of the harbour at one o'clock, and immediately dashed for the vessels under a tremendous fire from the forts, vessels, and the shore, the beach being lined with field-pieces and musquetry, the feluccas keeping up a heavy fire until the boats were alongside; the crews made a short resistance, and quitted them. Notwithstanding such a heavy fire, they succeeded in bringing out the brig and two feluccas, without the loss of a single man: two of the vessels having their sails unbent, they were obliged to be towed out, which detained them till near four o'clock; the whole of which time they were under the enemy's batteries.—Lieut. Norton informs me the coolness of the officers, seamen and marines under his command, and attention to the orders given, were such as merit the highest approbation, and that they in every respect behaved as became British seamen.

I beg leave to recommend to you for promotion Mr. Overhand, master's mate, who commanded one of the cutters, and who has passed his examination for lieutenant.

I have the honour to be, &c.

(Signed) J. R. Dacres, jun.

To James Richard Dacres, esq. vice-admiral of the white, &c.

Names of the vessels captured.

The San Antonio (letter of marque) of one gun and 30 men, from St. Sebastian, bound to Vera Cruz.

The Deseado (Spanish privateer) of one gun and 30 men, from a cruise, bound to St. Jago de Cuba.

Brig (name unknown) of four guns.

(Signed) J. R. Dacres, jun.

Shark, Port Royal, Oct. 4, 1806.

Sir,

Having received the letter, of which the inclosed is a copy, from captain Morris, of his majesty's sloop Elk, acquainting me of that sloop having destroyed the Alliance French privateer, of five guns and seventy-five men, belonging to Guadaloupe, I transmit it to you for their lordships' information.

I am, &c.

J. R. Dacres.

His majesty's brig Elk, at sea, Oct. 1, 1806, 11 *p. m.*

Sir,

I have to inform you, I this day at noon chased, per signal from his majesty's ship Elephant, a schooner in the N. N. W. which I came up with, after a hard run of nine hours, previous to which I had carried away my main-top-gallant mast, and sprung the top-mast. As I was fearful of the chace gaining the wind of me, I thought it most advisable, on coming up, to run her on board, that I might make certain of destroying her; in which she received so much damage as to occasion her sinking shortly after we had exchanged the prisoners. She proves the Alliance, French privateer, of five guns (one long 12-pounder, two

* Mr. Howard, gunner; Messrs. Overhand and Birch, master's-mates: Mr. Pitcher, lieutenant of marines; Mr. Leriche, purser; and Mr. Burnet, carpenter.

sixes, and two 12-pounder carronades), with a complement of 75 men, commanded by Alexander St. Holme, from Guadaloupe three months, had captured the English brig Neptune, from Jamaica to Exuma, and two American schooners.

I have the honour to be, &c.

(Signed) GEO. MORRIS.

To James Richard Dacres, esq. &c. &c. Jamaica.

Shark, Port Royal, Oct. 8, 1806.

Sir,

I have the honour to inclose, for the information of the right hon. the lords commissioners of the admiralty, the copy of a letter I have received from captain Chambers, of the Port Mahon, detailing the capture of the Spanish letter of marque, St. Joseph, by the boats of that sloop, under the command of lieutenant Marshall, by cutting her out of a harbour, in Cuba, (defended by a tower,) into which the sloop had chased her.

I am, &c.

(Signed) J. R. DACRES.

His majesty's sloop Port Mahon, June 26, 1806.

Sir,

A Spanish armed brig was yesterday chased by his majesty's sloop Port Mahon under my command, into the intricate harbour of Banes, which is defended by a high tower mounted with two heavy guns. At nine in the evening the boats were dispatched under the command of lieutenant John Marshall, assisted by lieutenant Wray, and Mr. John Robson gunner, to get her out. This morning at one she was boarded under a heavy fire of great guns and small arms from the vessel and battery, (to which she was moored by a line,) and carried. Much difficulty attended getting her out, as she grounded within pistol-shot of the battery, from which several shots struck her. She proves to be the Spanish letter of marque, St. Joseph, armed with one long eighteen-pounder on a pivot amid-ships, four 12-pound carronades, and two 4-pounders, with swivels, pikes, and musquetry, and thirty men, who were on deck to receive our boats; from Havannah, bound to Campechy, with brandy, dry goods, &c. It is very gratifying for me to add, that although several of the oars were broken and boats damaged by shot while rowing to the attack, yet not a man was hurt. I hope, sir, you will conceive that the capture of this vessel, situated and defended as above recited, was fully adequate to the force employed, and that it reflects great credit on lieutenant Marshall, the officers and seamen employed.

I have the honour to be, &c.

SAMUEL CHAMBERS.

To James Richard Dacres, esq. vice-admiral of the blue, &c. &c.

Veteran, Port Royal, Oct. 12, 1806.

Sir,

Information having been given me of a number of small vessels having been seen at Batabano, some of which I had reason to believe might be privateers, a number of them occasionally making that place and Trinidad their rendezvous, I dispatched on the 25th of August the vessels named in the margin*,

* Stork and Superieure sloops; Flying-Fish and Pike schooners.

to

to bring them out or destroy them with their boats, if it appeared practicable with little risk. On the 10th instant the Stork arrived with the pleasing intelligence of their having cut out and destroyed six armed vessels (one of which was a French-privateer of four guns) and six coasting vessels: also, that the Pike of four guns, had captured a Spanish schooner of ten guns and the Superieure, a Spanish letter of marque.—I inclose you a copy of captains Le Geyt and Rushworth's letters for their lordships' information.

I am, &c.

(Signed) J. R. DACRES.

His majesty's sloop Stork, off the Isle of Pines, Sept. 9, 1806.

Sir,

Agreeable to your directions I put to sea from Port Royal on the 25th ultimo with the Superieure, and Flying-Fish and Pike schooners. On our arrival off the Isle of Pines, I had the mortification to learn from the pilot the Stork could not be carried within thirty leagues of the harbour of Batabano. I therefore directed captain Rushworth (to whose activity and exertions I feel highly indebted) to proceed with the Superieure and two schooners, after having reduced their draught of water as much as possible, and reinforced them with the boats and a party of seamen and marines from the Stork; and I have the pleasure to acquaint you, the object of your orders was effected in a very handsome style; for the particulars of which, and his subsequent capture of a Spanish letter of marque, I have the honour to refer you to the inclosed letter from captain Rushworth. I have also to inform you of the capture of a Spanish schooner of ten guns on the 30th ultimo, by the Pike, after a slight resistance.

I have the honour to be &c.

(Signed) GEO. LE GEYT.

To James Richard Dacres, esq. vice-admiral of the white, &c. &c.

His majesty's sloop Superieure, off the Isle of Pines, Sept. 9, 1806.

Sir,

I have the honour to acquaint you, after leaving his majesty's sloop Stork on the day of August off the Isle of Pines, it took us to the 2d of this month to get off Point Gondas. Distance N. W. 22 miles from Batabano, when I anchored with the Flying-Fish and Pike schooners; at midnight weighed and stood for Batabano, to be off that place before break of day, but owing to baffling winds it took us until day-light. I thought it expedient to land, which I accordingly did, with 18 men from the Stork, 35 from the Superieure, and 10 from the Flying-Fish, to guard the boats; but after landing two miles to windward of the battery, the marshy irregular ground so impeded our march, and the enemy perceiving it, sent a party of soldiers to way-lay us in the thick bushes; but the most forward of my party charged and completely put them to the rout, after leaving two killed and one badly wounded. At that period a general alarm had spread, the militia had joined the stationary regulars in the front, aided by the men from the shipping in the bay. Our retreat being thus cut off, we were obliged to rush forward to gain the fort, which I am happy to say was completely carried in three minutes; the enemy retreated in all directions, after

ter firing two guns and a volley of small arms, towards the path we were obliged to pass. The battery consisted of six long eighteen-pounders, mounted on travelling carriages, which we spiked, and then proceeded to take possession of the vessels, which consisted of one fellucca, pierced for 14 guns, having one 18-pounder and 12 blunderbusses on board; a schooner, pierced for 12; a French privateer of four, and three other Spanish vessels, with one gun each; six other smaller with cargoes, which were saved, and the vessels burnt, not having sufficient men to carry them out. The next morning came off a flag of truce; from them I learn their loss was considerable. I am happy to add, we had only one man badly wounded on the occasion. I also feel it my duty to state the great assistance I received from lieutenants Russell and Murray, and sub-lieutenants Blake and Brown. The seamen and marines under my command acted in a most gallant manner. Two days after I captured a Spanish armed schooner, St. John, of three guns, and 32 men, after a slight resistance.

I am, &c.

(Signed) EDW. RUSHWORTH.

George Le Geyt, esq. commander of his majesty's sloop Stork.

DECEMBER.

Admiralty-office, Dec. 2.

This gazette contains the following inclosure to lord Collingwood:

Renommée, off Majorca, Oct. 22.

My lord,

I have the honour to acquaint your lordship that, last night, the four cutters belonging to his majesty's ship Renommée, under my command, gallantly entered the port of Colon, in the island of Majorca; and, notwithstanding the fire from the vessels in the harbour, and also of that from the tower, they boarded and captured one tartan, mounting four guns and two settees, one of them mounting three guns, Spaniards, deeply laden with grain. The two settees were with great difficulty brought out of the port; but the tartan got on shore, was set fire to, and blew up. Lieut. sir W. Parker commanded the boats, and was assisted by acting lieut. W. Webster, lieut. Henry Murton of the royal marines, and Mr. Tim. Murray, boatswain; these officers, together with the petty officers, seamen, and marines, were volunteers; and I feel happy in reporting to your lordship their gallant and steady conduct did them the greatest credit, and merits every commendation. One seaman was wounded in the enterprise.

THOMAS LIVINGSTONE.

[Another letter to his lordship, from the same officer, dated off Majorca, Oct. 23, states, that the same party who cut out the vessels above-mentioned, brought, on the night of the 21st, from under the fire of the tower of Falconara, a Spanish settee, mounting two guns. In performing this service, our people were much annoyed by musquetry from behind the bushes, which wounded one man; on which sir W. Parker landed with a few marines and seamen, and having killed one Spaniard, and driven the rest off, rejoined the ship without any other loss.]

Admiralty-office, Dec. 13.

A letter from the earl of St. Vincent incloses the following:

Flora, at Sea, Nov. 26.

My lord,

I have the honour to inform you

that, this morning, 18 leagues to the westward of Oporto, we discovered an armed lugger a few miles distant, sweeping very fast from us. It falling calm, there was not a probability of the ship getting within gunshot of her, therefore I sent the boats under the command of lieut. Furber, first of the Flora, in chase of her; and I am happy to say, through the exertion of this gallant officer, the Spanish lugger privateer El Espedarte of Vigo, mounting six carriage guns, besides swivels, musketoons, and musketry, with 41 men, was captured, and only in sight of the ship from the mast-head.

L. O. Bland.

Portsmouth, Dec. 17.

The Termagant, which arrived here this day, brought the melancholy intelligence of the total loss of the Athenienne, of 64 guns, on her passage to Malta, by striking on the Esquerries rocks, near Tunis, in a gale, on the 20th of October last. The following are the names of the persons, above the rank of sailors, who lost their lives: captain Raynsford; lieuts. Swinburne, M'Millan, and Salter; capt. Stains, and lieuts. Moss and Minden, of the marines; Mr. Griffin, surgeon; the boatswain, carpenter, and gunner; Messrs. Hennell, Rome, Morrison, Newman, Fitzgerald, and Blackburn, midshipmen, passengers: lieut. Barker, of the Melpomene; ensign Banker, of the 37th regiment; and the carpenter of La Bergere sloop.—Persons saved: lieuts. John and James Little, and —— Pym; Mr. Goodwin, purser; Messrs. Manning and Francis, midshipmen; Mr. Parker, master; Mr. Cannon, master's mate. Passengers: brigadier-general Campbell; Mr. Byron, surgeon of the Endymion; Mr. Dyer, to join the Juno; Messrs. G. Thorne, J. M'Lean, and S. Wells, of La Bergere. Seamen saved, 121; women ditto, 2—123, officers and seamen lost, 347.—The conduct of capt. Raynsford is spoken of in the highest terms. When the ship struck, he declared he would be the last to quit her. It was owing to his presence of mind, and the authority he employed, that so many lives were saved. The ship had on board 10,000*l.* in specie.

Admiralty-office, Dec. 20.

This gazette contains a letter from rear admiral sir A. Cochrane, dated Northumberland, Barbadoes, Nov. 4, which incloses two letters from captain Sayer, of the Galatea; one from capt. Briggs, of the Orpheus; and two from lieut. Dean, of the Dominica armed brig. Capt. Sayer's first letter states the capture of a Spanish privateer, by the barge of the Galatea, some miles up a river on the Spanish Main, near Porto Cavallo; but, it being impossible to get her out of the river, she was burnt. The second relates, that three boats of the Galatea, under the direction of the 1st lieutenant, had cut out four Spanish schooners from under the batteries of Barcelona, on the Spanish Main. Capt. Briggs relates the capture of a French privateer by the Orpheus; and lieutenant Dean, the capture of a French privateer, and the cutting out of two sloops, laden with sugar and rum, from under the batteries near St. Pierre's, Martinique.

Dec. 22.—A fire broke out in the dockyard at Portsmouth, which threatened alarming consequences. Between four and five o'clock, the flames were seen to burst from the house in which the rope is baked, and

and the twine tarred, for the use of the sail-makers. The wind was high, and blew directly towards the rigging and sail-lofts, between which and the fire was a quantity of light dry timber. Lieut. Smith, of the Audacious, hastened on shore with a party of sailors, to assist in extinguishing it; but no buckets were at hand: a supply was immediately procured from the Audacious; and by the exertions of the seamen, the fire was prevented from spreading further.

The same night the following dreadful accident happened to the driver of the mail-coach from Bristol to Birmingham, within a few miles of Thornbury: The coach was going at a brisk rate, when the guard observed the coachman to fall off his seat between the horses; he got down, and endeavoured to stop them, but in vain. He then succeeded in regaining his seat behind the coach, till the animals slackened their pace, when he drove the coach in safety to Thornbury, where he procured a horse, and returned to the coachman, whom he conveyed back. Surgical assistance was instantly procured; but it was fruitless, as one of the wheels had passed over his neck, and it is supposed killed him on the spot. He has left a wife and 2 children.

25. Nine dwellings, with numerous out-houses, corn-stacks, &c. were destroyed by accidental fire at Acomb, near Hexam.

26. This afternoon, about half past one, was one of the highest tides ever remembered. Boats were rowed into Palace and Little Scotland yards; and the water filled most of the cellars about the Horse-guards and Parliament street. A number of wharfs, cellars, and warehouses, from the top of Upper Thames street to the bottom of Lower Thames street, and in Bridge street, Blackfriars, were completely inundated; and also the lower apartments of several houses in Horsleydown. The injury sustained is considerable. The moon was at full, but the wind was westerly. Fifteen years have elapsed since those quarters experienced such a visitation.

The tide rose to such a height in Ipswich, that most of the streets were inundated. The water was two feet deep near St. Peter's church; and the common quay was nearly overflowed. At Hampton, Sunbury, Chertsey, and similar places near the banks of the Thames, the whole of the country was under water; and Kingston and Putney bridges were for a time nearly impassable.

The whole of the Scotch coast has suffered much during the last and preceding week, from the unusual height of the tide, both of the sea and the rivers. On the 20th inst. the river Stinchar, at the town of Ballantrae, rose to a prodigious height, and overflowed the highway for nearly 200 yards. About 11, while the 9th troop of the 1st dragoons, on their route from Hamilton for Ireland, attempted to pass the water, five of the horses with their riders were borne down by the rapidity of the current. The men, from the weight of their accoutrements, were some time before they could disengage themselves from the animals. The inhabitants plunged in to their assistance, and at the risk of their own lives succeeded in saving those of the soldiers.—At Rothesay the tide lately rose so high, that both the quays were covered with water, and many barrels of herrings washed over. The

water in the houses at this port was 48 inches deep.

27. This day the Thames again rose considerably higher than on the preceding day at Rotherhithe, Lambeth, and Milbank, as well as at the newly-embanked cut at the Isle of Dogs, where serious injury was occasioned by the inundation. Near Lambeth horse-ferry a sow and 12 pigs were drowned.

Admiralty-office, Dec. 30.

The following are copies of inclosures, transmitted by admiral Dacres:

A letter from capt. Inglefield, of the Hunter, dated off the Isle of Pines, Sept. 21, states that he captured that morning, after four hours chase, the Spanish schooner San Joseph y Animas letter of marque, from Truxillo, bound to Batabano, laden with indigo and sarsaparilla; she also was charged with dispatches, which were landed previous to her capture. She is armed with a long 8-pounder in midships, and 15 small arms; had only 13 men when taken.

A letter from lieut. Hall of the Diligent, dated Port Royal, October 24, mentions the capture, by his boats, of the French armed schooner Le Napoleon, mounting one brass long 9-pounder, with 14 men and passengers, bound to the city of St. Domingo, from Samana, where she was going to get a letter of marque, and her complement of men.

A letter from capt. Nicholas, of the Drake, mentions the capture, on the 24th October, of the French schooner privateer La Superbe, of 14 guns (two 9-pounders and twelve 6-pounders), and 94 men, commanded by M. Houx, by lieut. Fitton, in the schooner Pitt. "This officer," says capt. N. "meeting La Superbe off cape Nichola Mole on the 24th, after an arduous chase with sweeps, got within gun-shot, and commenced a running fight, which he continued with little intermission, and in almost every direction, until the 26th, when at nine A. M. Cape Maize bearing N.N.W. six leagues, they were discovered from the tops of the ship I commanded; and it was then that I witnessed, with the greatest satisfaction, a display of skill and bravery, supported for four hours and a half, which entitles the parties to the greatest praise. The two schooners within pistol-shot kept up a constant fire. La Superbe seeing us to leeward, made many manœuvres to escape, but was as often foiled, lieut. Fitton carefully preserving the weather-gauge; and it was not until after a desperate resistance, until she was in a sinking state, and, when our fortunate leeward position prevented further flight, that the Frenchman ran his vessel upon the rocks in Ocoa bay, and deserted her accompanied by those of his men who were not either killed or dangerously wounded in the action. In La Superbe's hold were found four men already dead of their wounds, and three whose state affords little hope. They allow that 14 fell in the action; and, from the appearance of the decks, much blood must have been shed. The Pitt has suffered in her sails and rigging, and had two men badly and six slightly wounded; and I am happy to add, that we succeeded in getting the prize off.

I am, &c. R. Nicholas."

Admiral Cochrane has transmitted accounts of the capture of the French privateer Guadaloupe packet by capt. Collier, of the Wolverine, on the 16th of October; and La Jeune Gabriella French

French schooner privateer, Auguste Boussard commander, of eight guns, (four of which were thrown overboard during the chase) and 75 men, by lieutenant Spear, of the Dart; and of three other enemy's privateers, of one gun each, by different cruizers.

☞ Having by some unaccountable accident omitted, in our Register for 1804, the gallant conduct of sir Nathaniel Dance, off *Pulo Auro*, we deem it but justice to him and the heroes who were with him, to insert his letter at the close of the occurrences for the present year.

East India House, Aug. 8, 1804.

For the information of the honourable court, I beg leave to acquaint you, that the Earl Camden was dispatched from Canton by the select committee the 31st of January last; and the ships noted in the margin * were put under my orders, as senior commander; also, the Rolla Botany Bay ship, and the country ships, as per margin †, were put under my charge, to convoy as far as our courses lay in the same direction. I was also ordered to take under my protection a Portuguese Europe ship, that was lying in Macao Roads, whose supercargo had solicited it from the select committee.

Our passage down the river was tedious, and the fleet much dispersed; the ships being under the directions of their several Chinese pilots, I could not keep them collected as I wished.

The Ganges, a fast-sailing brig, was put under my orders by the select committee, to employ in any manner that might tend to the safety or convenience of the fleet, till we had passed the Straits of Malacca. I was then to dispatch her to Bengal.

We passed Macao Roads on the night of the 5th of February, and I conceive the Rolla had anchored so near Macao, as not to see the fleet get under weigh and pass through; although at the time I had no idea that could be possible, especially as I saw the Ocean in shore of us getting under weigh, burning blue lights, and firing a gun; the Portuguese ship, I suppose, must have been in the same situation as the Rolla. During the night of the 5th of February I carried an easy sail, and on the following day hove-to for above two hours, hoping to see those ships; but there was no appearance of them, nor did they ever join the fleet.—On the 14th February, at day break, we saw Pulo Auro bear W. S. W. and at eight A. M. the Royal George made the signal for seeing four strange sail in the S. W.: I made the signal for the four ships noted in the margin ‡ to go down and examine them; and lieut. Fowler, of the royal navy, late commander of the Porpoise, and passenger with me, having handsomely offered to go in the Ganges brig, and inspect them nearly, I afterwards sent her down likewise, and from their signals I perceived it was an enemy's squa-

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* Warley, Alfred, Royal George, Coutts, Wexford, Ganges, Exeter, Earl of Abergavenny, Henry Addington, Bombay Castle, Cumberland, Hope, Dorsetshire, Warren Hastings, Ocean.

† Lord Castlereagh, Carron, David Scott, Minerva, Ardasier, Charlotte, Friendship, Shaw Kissaroo, Jahaungeer, Gilwell, Neptune.

‡ Alfred, Royal George, Bombay Castle, Hope.

dron consisting of a line of battle ship, three frigates, and a brig.

At one P. M. I recalled the look-out ships by signal, and formed the line of battle in close order.

As soon as the enemy could fetch in our wake, they put about; we kept in our course under an easy sail. At near sunset, they were close up with our rear, and I was in momentary expectation of an attack there, and prepared to support them; but at the close of day we perceived them haul to windward. I sent lieut. Fowler in the Ganges brig, to station the country ships on our lee-bow, by which means we were between them and the enemy; and having done so, he returned with some volunteers from the country ships.

We laid-to in line of battle all night, our men at their quarters; at day-break of the 15th, we saw the enemy about three miles to windward, lying-to; we hoisted our colours, offering him battle, if he chose to come down. The enemy's four ships hoisted French colours, the line of battle ship carrying a rear admiral's flag; the brig was under Batavian colours.

At nine A. M. finding they would not come down, we formed the order of sailing, and steered our course under an easy sail; the enemy then filled their sails, and edged towards us.

At one P. M. finding they proposed to attack, and endeavour to cut off our rear, I made the signal to tack and bear down on him, and engage in succession, the Royal George being the leading ship, the Ganges next, and then the Earl Camden. This manœuvre was correctly performed, and we stood towards him under a press of sail. The enemy then formed in a very close line, and opened their fire on the headmost ships, which was not returned by us till we approached him nearer. The Royal George bore the brunt of the action, and got as near the enemy as he would permit him; the Ganges and Earl Camden opened their fire as soon as the guns could have effect; but, before any other ship could get into action, the enemy hauled their wind, and stood away to the eastward under all the sail they could set. At two P. M. I made the signal for a general chase, and we pursued them till four P. M. when, fearing a longer pursuit would carry us too far from the mouth of the Straits, and considering the immense property at stake, I made the signal to tack, and at eight P. M. we anchored in a situation to proceed for the entrance of the Straits in the morning. As long as we could distinguish the enemy, we perceived him steering to the Eastward under a press of sail. The Royal George had one man killed, and another wounded, many shot in her hull, and more in her sails; but few shot touched either the Camden or Ganges; and the fire of the enemy semed to be ill directed, his shot either falling short, or passing over us. Capt. Timins carried the Royal George into action in the most gallant manner. In justice to my brother commanders, I must state that every ship was cleared and prepared for action; and, as I had communication with almost all of them during the two days we were in presence of the enemy, I found them unanimous in the determined resolution to defend the valuable property intrusted to their charge to the last extremity, with a full conviction of the successful event of their exertions; and this spirit was fully seconded by the gallant ardour of all our officers and ships' companies.

companies. From Malacca I dispatched lieut. Fowler, in the Ganges brig, to Pulo Pinang, with a packet from the select committee to the captain of any of his majesty's ships, soliciting their convoy to this very valuable fleet. On arrival at Malacca we were informed that the squadron we had engaged was that of admiral Linois, consisting of the Marengo, of 84 guns, the Belle Poule, and Semillante, heavy frigates, a corvette of 28, and the Batavian brig William of 18 guns. —The 28th February, in the Straits of Malacca lat. 40° 30′ N. we fell in with his majesty's ships Albion and Sceptre. I was then in a very poor state of health; and Mr. Lance went on board the Albion, and, by his very able representation to capt. Ferrier of the great national consequence of the hon. company's ships, he was induced to take charge of the fleet.— On the 3d of March I dispatched the Ganges brig with a letter to the right hon. the governor general, giving an account of our action, to be conveyed to the honourable court.—We arrived at St. Helena the 9th of June, under convoy of his majesty's ship Plantagenet with the addition of the Carmarthen, capt. Dobree, and five whalers. Accompanying this I send a chart of the entrance of the Straits of Malacca, with the situations of the fleet on the 14th and 15th February, which will, I trust, convey a more distinct idea of the action than any written description.

I am, &c.

N. Dance.

Earl Camden, Aug. 6, 1804.

Names of the whalers.—William Fenning, Brook Watson, Thomas, or Young Tom, Betsey, Eliza, and the Blackhouse, from the Coast of Guinea, joined us at sea.

The LONDON GENERAL BILL *of*

Christenings *and* Burials *from* December 17, 1805, *to* December 16, 1806.

Christened { Males 10,452 / Females 9,928 } 20,380. Buried { Males 9,215 / Females 8,723 } 17,938.

Increased in Burials this Year 363.

Died under 2 years 5405	20 and 30 - 1329	60 and 70 - 1265	90 and 100 99
Between 2 and 5 2029	30 and 40 - 1782	70 and 80 - 859	100 - - - - - 2
5 and 10 822	40 and 50 - 1793	80 and 90 - 414	104 - - - - - 1
10 and 20 635	50 and 60 - 1503		

BIRTHS *in the year* 1806.

Jan. 4. Lady of Capt. Byng, R. N. a son.

5. Lady of Capt. Halkett, R. N. a daughter.

19. Countess of Banbury, a daughter.

21. Countess of Elgin, a daughter.

24. Lady of lieut. general Manningham, a daughter.

Feb. 2. Countess of Aylesford, a daughter.

6. Lady of sir Thomas Whichcote, bart. a son.

—. Lady of sir William Ramsay, bart. a son.

—. Lady Janet Buchanan, a daughter.

9. Lady of sir Henry Oxendon, bart. a daughter.

11. Countess of Loudon and Moira, a daughter.

11. Lady Dunboyne, a son.
20. Lady Holland, a daughter.
21. Countess of Mansfield, a son.
—. Lady Ogilby, a daughter.
23. Countess of Aboyne, a son.
25. Lady Mary Stopford, a daughter.
28. Hon. Mrs. Erskine, a daughter.

March 16. Lady of hon. general St. John, a daughter.
17. Viscountess Mahon, a son.
22. Lady C. Drummond, a son.
24. Lady Charlotte Duncombe, a son.

April. 2. Lady of sir Christ. Willoughby, bart. a daughter.
4. Lady Harriet Frampton, a daughter.
6. Hon. Mrs. Berkeley, a son.
8. Hon. Mrs. J. B. Simpson, a daughter.
9. Lady of sir George Prescott, bart. a daughter.
25. Lady Lovaine, a son.
—. Lady of sir Montague Cholmeley, bart. a daughter.

May 2. Lady King, a daughter.
10. Hon. Mrs. Boyle, a son.
11. Duchess of Beaufort, a daughter.
22. Lady Charlotte Hope, a daughter.
22. Lady Orde, a daughter.
28. Lady Boringdon, a son.
31. Countess Talbot, a son.

June. 1. Lady of colonel Gore Langton, M. P. a daughter.
2. Lady of rear admiral Sutton, a daughter.
4. Vicountess Arbuthnot, a son.
8. Lady Grantham, a daughter.
9. Lady of brigadier-general Monro, a daughter.
11. Hon. Mrs. E. J. Turnour, a daughter.
17. Lady E. Loftus, a son.
24. Countess of Chichester, a daughter.
26. Countess Cowper, an heir.
27. Hon. Mrs. Plunket, a son.
28. Hon. Mrs. H. Blackwood, a daughter.

July. 2. Hon. Mrs. Leighton, a son.
9. Hon. Mrs. E. Rice, a daughter.
13. Hon. Mrs. Erskine, of Cardross, a son.
15. Hon. Mrs. Paget, a son.
—. Countess of Albemarle, a daughter.
24. Hon. Mrs. Oliphant Murray, a daughter.
28. Hon. Mrs. F. Irby, a son.

Aug. 2. Lady of rt. hon. Maurice Fitzgerald a son.
3. Lady of hon. brigadier-general Steward, a son.
—. Hon. lady Cotton, a son and heir.
—. Lady of sir John Kennaway, bart. a daughter.
—. Countess Dalhousie, an heir.
4. Lady Loraine, a son.
6. Lady —— Riddell, a daughter.
7. Lady Macdonald Lockhart, a daughter.
22. Lady Henry Fitzroy, a daughter.
23. Lady Charlotte Howard, a son.
—. Viscountess Atcheson, an heir.
29. Lady Petre, two sons.

Sept. 5. Lady Charlotte Goold, a son.
11. Hon. Mrs. Ramsay, a daughter.
16. Countess of Corke, a daughter.
23. Lady Amelia Kaye, a daughter.
—. Lady Mary Talbot, a daughter.
26. Hon. Mrs. Montgomery Stewart, a son.
—. Lady Lambert, a son.
29. Lady of sir William Paxton, a son.

Oct. 1. Lady of sir John Duntze, bart. an heir.

7. Lady of brigadier-general Nepean, a son.

9. Lady Catharine Graham, a daughter.

—. Princess of Hesse, a prince.

12. Lady of sir James Gordon, bart. a daughter.

14. Lady of right hon. col. Ward, a son.

15. Lady of sir Oswald Mosley, bart. a daughter.

15. Lady of sir Wm. Blackett, bart. a daughter.

26. Hon. Mrs. Laurence Dundas, a son.

Nov. 4. Lady of sir Hungerford Hoskins, bart. a daughter.

10. Hon. Mrs. Henry Ryder, a son.

24. Lady S. M. Stanley, an heir.

—. Marchioness of Winchester, a daughter.

—. Lady Henry Somerset, a son.

Dec. 2. Lady of sir Robt. Wigram, bart. a son.

3. Countess of Clonmell, a daughter.

8. Lady Mary Murray, a daughter.

9. Lady of sir Francis Burdett, bart. a daughter.

10. Lady Eliz. Norman, a daughter.

11. Hon. Mrs. Robert Dundas, a son.

20. Lady William Beauclerc, a daughter.

28. Lady Forbes, a son.

—. Lady Emily Wellesley, a daughter.

MARRIAGES *in the year* 1806.

Jan. 13. Sir Charles Grave Hudson, bart. to miss Holford.

23. William Sloane, esq. to lady Gertrude Howard.

23. Geo. Frake Evans, esq. to lady Carbery.

—. Clement Debbing, esq. to lady Charlotte Butler.

30. R. C. Graves, esq. to the hon. C. Twisleton.

Feb. 3. Rev. J. Foster, to hon. miss St. John.

7. Sir T. G. Carmichael, bart. to miss Janet Dundas.

March 11. Rear admiral Sotheby, to lady Mary Anne Bourke.

26. W. Watkins, esq. to the hon. C. Devereux.

27. S. Cassan, esq. to lady Lucy Hall.

April 10. Prince Bariatinski, to the hon. miss Dutton.

11. Sir S. R. Glynne, bart. to hon. Mary Neville.

17. Capt. Digby, R. N. to viscountess Andover.

20. Sir Arthur Wellesley, K. B. to miss Packenham.

May 1. Benjamin Linthorne, esq. to lady Lester.

—. Francis Savage, Esq. to lady Harriet Butler.

2. Lord Robt. Seymour, to hon. miss Chetwynd.

8. Lord Kinnaird, to lady C. O. Fitzgerald.

—. Willoughby Cotton, esq. to hon. miss Coventry.

17. Hon. William Herbert, to hon. L. Allen.

—. Hon. and rev. Pierce Butler, to miss M. S. Vernon.

19. Hon. Hugh Percy, to miss Manners Sutton.

June 10. Osborne Markham, esq. to lady Mary Thynne.

11. Lord Rollo, to miss A. Greig.

17. Viscount Fitzharris, to hon. miss Dashwood.

—. Col. Vansittart, to hon. miss Caroline Eden.

19. Sir W. P. Call, bart. to lady Louisa Forbes.

26. Andrew

26. Andrew Wedderburn, esq. to hon. Louisa Eden.

July 2. Hon. col. Bligh, to lady Sophia Stewart.

8. Viscount Milton, to hon. miss Dundas.

17. Hon. W. H. Hare, to miss Bough.

22. Hon. Mr. Bagot, to miss Pole.

—. Right hon. Nicholas Vansittart, to hon. Catherine Eden.

24. Hon. Henry Brand, to miss Pyne Crosbie.

28. Lord Ossulstone, to mademoiselle de Gramont.

28. Lord Walpole, to Mrs. Chamberlayne.

—. Viscount Monck, to lady Frances French.

31. Lord Elphinstone, to lady Carmichael.

Aug. 1. Sir James Montgomery, bart. to lady Elizabeth Douglas.

11. Hon. C. A. Pelham, to miss Simpson.

17. Lord Foley, to lady Cecilia Fitzgerald.

19. John Manners, esq. M. P. to the duchess of Roxburgh.

Sept. 1. Hon. capt. Herbert, to miss Head.

4. Hon. Gilbert Elliott, to miss Brydone.

9. Lord Marsham, to miss Pitt.

14. William Gosling, esq. to hon. Charlotte de Grey.

Oct. 3. Sir Henry Carew, bart. to miss Palk.

26. John Allen, esq. to lady Frances Turnour.

Nov. 18. Sir Walter Brisco, bart. to miss Lester.

29. The eldest son of sir Henry Hawley, bart. to miss Shaw.

Dec. 1. Earl of Ancram, to lady Harriott Montague.

15. Hon. col. Lumley, to miss M. Tahourdin.

21. Hon. and rev. —— Bagot, to lady Harriet Villiers.

30. Sir Thomas Roberts, bart. to miss Walton.

DEATHS.

Oct. 5. 1805. Charles marquis Cornwallis.

Jan. 3. 1806. Lady Vandeput.

4. Sir William Oglander, bart.

5. Margrave of Anspach.

12. Sir Wolstan Dixie, bart.

16. Sir John Hales, bart.

21. Peter Perchard, esq. alderman of London.

23. Right hon. Wm. Pitt, first lord of the treasury, &c.

30. Thomas Skinner, Esq. alderman of London.

—. Lord Somers.

Feb. 4. Hon. col. Carleton.

19. Mrs. Carter, the poetess and Greek translator.

22. James Barry, esq. the celebrated painter.

26. Admiral sir Andrew Mitchell, K. B.

—. Hon. miss Orde Pawlett.

—. Viscount Pery.

March 4. Sir Lionel Copley, bart.

6. Dowager countess of Bradford.

—. Lady Georgiana Augusta Eliot.

19. Sir John Talbot Dillon, bart.

22. Marquis of Ely.

30. Duchess of Devonshire.

31. Earl Macartney.

April 1. Prince Frederick of Prussia.

9. Sir James Chatterton, bart.

—. His serene highness the Stadtholder.

17. Earl of Lanesborough.

19. Mr. John Russell, painter in crayons to his majesty.

May 3. Sir Richard Ford, knight, the Bow-street magistrate.

8. Ann Yearsley, the poetical milk-maid of Bristol.

19. Lord

19. Lord Monson.
21. Princess of Asturias.
23. Sir Arthur Clarke, bart.
24. Duke of Argyle.
30. Hon. Mrs. Paget.
June 4. Sir Charles Davers, bart.
7. Bishop of Limerick.
14. Sir Wilfred Lawson, bart.
15. Lady Charlotte Browne.
21. Lord Sondes.
—. Prince Francis Xavier, of Poland.
July 2 Hon. Mary Leigh.
5. Hon. Arthur Dillon, brother of Henry, the eleventh viscount Dillon of Ireland, archbishop and duke of Narbonne.
8. Sir Charles Playters, bart.
15. Lady Mary Duncan.
17. Sir Richard Sullivan, bart.
21. Sir John Musgrave, bart.
30 Earl of Landaff.
Aug. 3. Lady of sir M. W. Ridley, bart.
7. Hon. Mrs. Fred. Irby.
12. Dowager lady Dacre,
17. Countess of Mount Edgcumbe.
23. Hon. W. H. Bouverie.
28. General Campbell.
29. Lady Frances Hay.
Sept. 8. Mr. Patrick O'Brian, the well known Irish giant.
11. Rev. John Brand, secretary of the antiquarian society.
12. Lord Thurlow.
13. Right hon. Charles James Fox, secretary of state, &c.
20. The hereditary prince of Brunswick.
30. Earl of Clermont.
Oct. 2. Hon. miss Cholmondeley.
4. Samuel Horsley, LL. D. bishop of St. Asaph.
5. Lady Buckworth Heron.
9. Hon. Mrs. Hunter.
16. Countess of Kenmare.
19. Lady Amelia Garnon.
24. Lady Alva.
28. Mrs. Charlotte Smith, author of sonnets and other celebrated works.
Nov. 1. Baroness dowager Sandys.
5. Lord Ponsonby.
6. Lady of sir John Duntze, bart.
10. His serene highness the duke of Brunswick.
13. Earl of Galloway.
18. Sir John Mordaunt, bart.
23. Lady Muncaster.
24. Sir Roger Newdigate, bart.
25. Admiral sir Richard King, bart.
26. Rev. sir Richard Cope, bart.
Dec. 7. Right hon. sir Charles Morgan, bart. military judge advocate general.
—. Hon. George Lyon Bowes.
9. Duke of Saxe Cobourg.
20. Princess Wilhelmina of Nassau Dietz.
26. Lady Arabella Rawdon.

PROMOTIONS *in the year* 1806.

Downing-street, Jan. 21. Thomas Hislop, esq. brigadier-general of his majesty's forces serving in the leeward and windward Charibbee islands, appointed governor and commander in chief of the island of Trinidad.

Dublin Castle, Jan. 24. Rev. John Kearney, D. D. provost of Trinity college, Dublin, promoted to the bishoprick of Ossory, *vice* Hamilton, dec.—Rev. George Hall, D. D. to be provost of Trinity college, Dublin, *vice* Kearney.

Downing-street, Jan. 25. Hon. Lyndsay Burrell, appointed his majesty's secretary of legation at the court of Dresden.

Whitehall, Jan. 28. Rev. Hugh Cholmondeley, M. A. to be dean of

of the cathedral church of Chester, *vice* Cotton, dec.

Whitehall, Jan. 29. Right hon. William earl of Northesk, rear-admiral of the red, and sir Richard John Strachan, bart. rear-admiral of the blue, created knights of the Bath.—Thomas Masterman Hardy, esq. captain in the royal navy, created a baronet of the United Kingdom.

Downing-street, Feb. 1. Henry Bentinck, esq. to be lieutenant-governor of the settlements of Demerara and Essequibo.

Downing-street, Feb. 4. Sir Henry Russell, knt. to be chief justice, and sir William Burroughs, bart, to be one of the puisne judges, of the supreme court of judicature at Fort William, in Bengal.

Queen's-palace, Feb. 5. Henry viscount Sidmouth, sworn keeper of the privy seal, *vice* earl of Westmoreland.—Right hon. Francis earl of Moira; right hon. Richard Chandos earl Temple; right hon. Henry Petty, commonly called lord Henry Petty, chancellor and under-treasurer of his majesty's exchequer; right hon. Charles Grey; and right hon. Charles-James Fox; sworn of his majesty's most honourable privy council.—Right hon. George-John earl Spencer, K. G. and right hon. William Windham, sworn two of his majesty's principal secretaries of state, *vice* lords Hawkesbury and Castlereagh.—Right hon. William lord Auckland (and, in his absence, the right hon. Richard Chandos earl Temple), appointed president of the committee of council appointed for the consideration of all matters relating to trade and foreign plantations, *vice* duke of Montrose and Mr. Rose.

Whitehall, Feb. 7. Right hon. Thomas Erskine, created baron Erskine, of Restormel castle, co. Cornwall.

Queen's-palace, Feb. 7. Right hon. George viscount Morpeth; right hon. John Townshend, commonly called lord John Townshend; right hon. Thomas lord Erskine; and right hon. Richard Brinsley Sheridan; sworn of his majesty's most honourable privy council.—Right hon. Thomas lord Erskine, sworn lord high chancellor of Great Britain, *vice* lord Eldon.—Right hon. Charles-James Fox, sworn one of his majesty's principal secretaries of state, *vice* lord Mulgrave.

Carlton-house, Feb. 7. William Adam, esq. one of his majesty's counsel, and attorney-general to the prince of Wales, appointed chancellor and keeper of his royal highness's great seal, *vice* lord Erskine; and William Garrow, esq. one of his majesty's counsel, to be his royal highness's attorney-general, *vice* Adam.

Dublin-castle, Feb. 7. Arthur viscount Gosford, created earl Gosford, of Market-hill, co. Armagh; Laurence Parsons Harman, viscount Oxmantown, earl of Ross, with remainder to his nephew, the right hon. sir Laurence Parsons, bart.; Charles viscount Somerton, archbishop of Dublin, earl of Normanton, co. Kilkenny; and Charles William viscount Charleville, earl of Charleville, of Charleville forest, King's County.—Peter-Isaac Thellusson, esq. created baron Rendlesham, of Rendlesham.

Whitehall, Feb. 8. Gen. Francis earl of Moira, appointed master-general of his majesty's ordnance of the united kingdom, *vice* earl of Chatham.—Right hon. general Richard Fitzpatrick, to be his majesty's secretary at war, *vice* Mr. W. Dundas.

Whitehall, Feb. 11. Right hon. William

William Wyndham baron Grenville, *vice* Mr. Pitt; right hon. Henry Petty, commonly called lord Henry Petty, *vice* lord Louvaine; John-Charles Spencer, esq. commonly called viscount Althorpe, *vice* lord Fitzharris; right hon. William Wickham, *vice* Mr. Long; and John Courtenay, esq. *vice* marquis of Blandford; to be commissioners for executing the office of treasurer of his majesty's exchequer.—Right hon. Henry Petty, commonly called lord Henry Petty, appointed chancellor and under-treasurer of his majesty's exchequer, *vice* Mr. Pitt.—Right hon. Charles Grey, *vice* lord Barham; sir Philip Stephens, bart. *vice* admiral Gambier; Jn. Markham, esq. rear-admiral of the white, *vice* sir Philip Stephens; sir Charles Morice Pole, bart. admiral of the blue, *vice* admiral Patten; sir Harry Neale, bart., *vice* sir E. Nepean; William Russell, esq. commonly called lord William Russell, *vice* Mr. Dickenson, jun.; and right hon. Wm. lord Kensington, of that part of the united kingdom called Ireland, *vice* lord Garlies; to be his majesty's commissioners for executing the office of high admiral of the united kingdom of Great Britain and Ireland, and the dominions, islands, and territories thereunto belonging.—Right hon. Gilbert baron Minto, *vice* lord Castlereagh; right hon. George John earl Spencer, K. G. *vice* lord Hawkesbury; right hon. William Windham, *vice* lord Mulgrave; right hon. Charles-James Fox, *vice* Mr. Pitt; right hon. William Wyndham baron Grenville, *vice* lord Glenbervie; right hon. Henry Petty, commonly called lord Henry Petty, *vice* Mr. Wallace; right hon. George Howard, commonly called viscount Morpeth, *vice* lord Dunlo; right hon. John Hiley Addington; and right hon. John Sullivan; to be his majesty's commissioners for the management of the affairs of India.—Right hon. Henry earl of Caernarvon, appointed master of the horse to his majesty, *vice* the marquis of Hertford.

Downing-street, Feb. 11. James Green, esq. to be his majesty's consul-general in all the dominions of the emperor of Morocco.

St. James's, Feb. 12. Arthur Piggott, esq. his majesty's attorney-general, *vice* Mr. Percival, and Samuel Romilly, esq. his majesty's solicitor-general, *vice* sir Vicary Gibbs, knighted.

Queen's-palace, Feb. 12. His grace John duke of Bedford, right hon. Henry earl of Caernarvon, right hon. John-Joshua earl of Carysfort, right hon. Charles-Augustus lord Ossulston, right hon. St. Andrew lord St. John, of Bletsoe, and right hon. William Elliott, sworn of his majesty's most honourable privy council.—John duke of Bedford, declared lieutenant-general and general governor of Ireland, *vice* earl of Hardwicke.—Right hon. Edward earl of Derby, sworn chancellor of the duchy and county-palatine of Lancaster, *vice* lord Harrowby.—Right hon. Francis earl of Moira, sworn constable of his majesty's tower of London, and lord-lieutenant of the tower hamlets, *vice* marquis Cornwallis, dec.

Whitehall, Feb. 15. Right hon. Richard Brinsley Sheridan, appointed treasurer of his majesty's navy, *vice* Mr. Canning.—John Calcraft, esq. to be clerk of the ordnance of the united kingdom.—Right hon. Robert earl of Buckinghamshire, and right hon. John-Joshua earl of Carysfort, K. P. to be postmaster-general, *vice* duke of Montrose and lord C. Spencer.—

Right

Right hon. Richard Chandos earl Temple, and right hon. John Townshend, commonly called lord John Townshend, to be paymaster-general of his majesty's forces, *vice* Mr. Rose and lord C. Somerset.—Right. hon. Charles Spencer, commonly called lord Charles Spencer, to be master and worker of the mint, *vice* earl Bathurst.—Alexander Davison, esq. to be treasurer of the ordnances of the united kingdom.—Thomas Anson, esq. created baron Soberton, of Soberton, co. Southampton, and viscount Anson, of Shugborough and Orgrave, co. Stafford.—John Dennis, marquis of Sligo, K. P. created baron Monteagle, of Westport, co. Mayo.—Right hon. Hugh earl of Eglinton, created baron Ardrossan, of Ardrossan, co. Ayr.—Right hon. James earl of Lauderdale, created baron Lauderdale, of Thirlestane, co. of Berwick.—Right hon. George earl of Granard, created baron Granard, of castle Donington, co. Leicester.—John Crewe, esq. created baron Crewe, of Crewe, co. of Chester.—William Lygon, esq. created baron Beauchamp, of Powyke, co. of Worcester.—Right hon. and rev. William Nelson, D. D. baron Nelson of the Nile, and of Hilborough, co. of Norfolk, viscount Merton and earl Nelson of Trafalgar and of Merton, co. Surrey, and his issue, permitted and authorised to bear the honourable augmentations to their armorial ensigns which were granted to his brother, Horatio late viscount and baron Nelson, with the crest, motto, supporters, &c.

Whitehall, Feb. 18. John M'Mahon, esq. appointed keeper of the stores, ordnance, and ammunition of war, of the united kingdom.—Right hon. Robert Spencer, commonly called lord Robert Spencer, to be surveyor-general of his majesty's woods, parks, forests, and chaces, *vice* lord Glenbervie.

Queen's palace, Feb. 19. William Wentworth earl Fitzwilliam, declared lord president of his majesty's most honourable privy council, *vice* earl Camden.—Thomas Stevens, esq. of Kinnerton, to be sheriff of the county of Radnor, *vice* John Whitaker, esq. of Cascob.

Whitehall, Feb. 19. Right hon. William-Charles earl of Albemarle, appointed master of his majesty's buck-hounds, *vice* earl of Sandwich.—Right hon. St. Andrew lord St. John, appointed captain of his majesty's band of pensioners, *vice* viscount Falmouth.

Whitehall, Feb. 25. Charles Hastings, esq. of Willesley-hall, co. of Leicester, lieut.-general of his majesty's forces; Montague Cholmeley, esq. of Easton, co. Lincoln; Thomas Sutton, esq. of Molesey, co. Surrey; and Bysche Shelley, esq. of Castle Goring, Sussex; created baronets.

Downing-street, March 1. Francis Gore, esq. appointed lieutenant-governor of the province of Upper Canada; and John Hodgson, esq. brigadier-general of his majesty's forces, governor of the Bermuda or Somers islands.

Queen's-palace, March 5. Right hon. George Ponsonby, sworn of his majesty's most honorable privy council.—William Wentworth earl Fitzwilliam, sworn custos rotulorum of the soke of Peterborough.—Thomas Jones, esq. of Dolgelly, to be sheriff of the county of Merioneth, *vice* Hugh Jones, sen. esq. of Dolgelly.

Whitehall, March 8. Right hon. Nathaniel Bond, appointed advocate-general or judge-marshal of his majesty's forces, *vice* right hon. sir Charles Morgan, bart. resigned.—

ed.—Charles Hay, esq. to be a lord of session in Scotland, *vice* David Smyth, esq. dec.—Hon. Henry Erskine, advocate, to be his majesty's advocate in Scotland.—John Clerk, esq. advocate, to be his majesty's solicitor in Scotland.—Right hon. William Brabazon Ponsonby, created baron Ponsonby, of Imokilly, co. Cork.—Sir Francis Milman, bart. appointed physician in ordinary to his majesty, *vice* Dr. Thomas Gisborne, dec.

Queen's-palace, March 12. Right hon. sir John Newport, bart. chancellor of the exchequer in Ireland, sworn of his majesty's most honourable privy council.

Whitehall, March 15. George Spencer, esq. commonly called marquis of Blandford, summoned to the house of peers, by the style and title of baron Spencer, of Wormleighton, co. Warwick.

Dublin-castle, March 25. Right hon. George Ponsonby, appointed chancellor and keeper of the great seal of Ireland.—*March* 28. Right hon. William Elliott, appointed by the lord lieutenant of Ireland his chief secretary.

War-office, March 29. Lieutenant gen. John lord Hutchinson, K. B. appointed governor of Londonderry and Culmore, in Ireland, *vice* Hale, dec.

Whitehall, April 1. Right hon. Charles viscount Newark, created earl of Manvers.—Right hon. Horatio baron Walpole, created earl of Orford, co. Suffolk.—Right hon. Charles lord Grey, of Howick, K. B. and general of his majesty's forces, created viscount Howick, co. Northumberland, and earl Grey.—Joseph Scott, esq. of Great Barr, co. Stafford; Alexander Macdonald Lockhart, esq. of Lee and Carnwath; John Morris, esq. of Clasemont, co. Glamorgan; Alexander Ramsay, esq. of Balmain, co. Kincardine; and John Lubbock, esq. of Lamas, co. Norfolk, created baronets.

Dublin-castle, April 21. Right hon. Richard Hely, earl of Donoughmore, and the right hon. Henry Fitzgerald, commonly called lord Henry Fitzgerald, appointed postmasters-general in Ireland.

Carlton-house, April 22. The marquis of Bute, the earl of Cassilis, the earl of Lauderdale, the earl of Breadalbane, and the earl of Moira; William Adam, esq. counsellor for the duchy of Cornwall; Adam Gillies, esq. advocate for the principality of Scotland; and D. Cathcart, esq. solicitor for the principality of Scotland; appointed (by the prince of Wales) state counsellors for the principality of Scotland.

Carlton house, May 1. The earl of Stair, appointed (by the prince of Wales) one of his state counsellors for the principality of Scotland.

Queen's-palace, May 7. Right hon. Richard Hely, earl of Donoughmore, sworn of his majesty's most hon. privy council.

St. James's, May 21. Charles Montagu Ormsby, esq. knighted.

Dublin castle, May 30. Cornelius baron Lismore, created viscount Lismore, of Shalibally, co. Tipperary; and Robert-Edward baron Erris, created viscount Lorton, of Boyle, co. Roscommon.

War-office, May 31. His royal highness William-Frederick duke of Gloucester, K. G. from the 6th foot, to be colonel of the 3d regiment of foot-guards, *vice* the duke of Argyll, dec.

Queen's-palace, June 11. Busick Harwood, esq. M. D. of Emanuel college, Cambridge, professor of anatomy

anatomy in that University, and of medicine in Downing-college, knighted.

Queen's palace, June 18. Right hon. Alexander marquis of Douglas and Clydesdale, sworn of his majesty's most honourable privy council.

Whitehall, July 1. John Philpot Curran, esq. one of his majesty's counsel at law in Ireland, appointed keeper or master of the rolls and records of the court of chancery in that part of the united kingdom called Ireland.

Queen's-palace, July 2. Dupré earl of Caledon, sworn governor and commander in chief in and over the settlement of the Cape of Good Hope, in South Africa, with its territories and dependencies.

Dublin-castle, July 7. Rev. Charles Warburton, D. D. dean of Clonmacnoise, promoted to the bishoprick of Limerick, with the united bishoprick of Ardfert and Aghadoe, *vice* Bernard, dec.—Wm. Fletcher, esq. appointed one of the judges of the court of common pleas in Dublin, *vice* Johnson, resigned.

Dublin-castle, July 8. Henry Fitzgerald, esq. (commonly called lord Henry Fitzgerald), sworn of his majesty's most honourable privy council in Ireland.

St. James's, July 14. Henry Norton Willis, esq. appointed comptroller and paymaster to the establishment of her R. H. the princess Charlotte of Wales.

Whitehall, July 15. Right hon. Thomas Grenville *vice* lord Minto, and the right hon. John-Joshua earl of Carysfort, K. P. appointed and added to his majesty's commissioners for the management of the affairs of India.

Queen's-palace, July 21. Right hon. James earl of Lauderdale, sworn of his majesty's most honourable privy council.

Downing-street, July 21. Hon. David Erskine, appointed his majesty's envoy extraordinary and minister-plenipotentiary to the United States of America.—Gen. the hon. Henry-Edward Fox, to be commander of his majesty's forces in the Mediterranean.—Major-gen. the hon. Henry-George Grey, to be lieutenant-governor of the settlement of the Cape of Good Hope, and commander of his majesty's forces there.

Whitehall, July 29. Sir Rupert George, knt. Ambrose Serle, James Bowen, John Douglas, esqrs. John Harness, M. D. and George-Henry Toury, esq. appointed commissioners for conducting the transport service, for the cure of sick and wounded seamen, and for the care of prisoners of war.

Downing-street, Aug. 1. Appointment of Mr. Wm. Lagemann to be agent and consul at London for his serene highness the duke of Sleswick-Holstein-Oldenburg, approved by his majesty.

Dublin-castle, Aug. 9. Right hon. Henry Grattan, sworn of his majesty's most honourable privy council of Ireland.

Whitehall, Aug. 2. Right hon. William earl of Northesk, K. B. and rear-admiral of the red, in consideration of his distinguished services on various important occasions, and particularly in the glorious and decisive victory off Cape Trafalgar, permitted by his majesty to bear certain honourable augmentations to his armorial ensigns.

Downing-street, Aug. 20. Right hon. Henry-Richard lord Holland, and right hon. William lord Auckland, appointed joint commissioners and plenipotentiaries for arranging and finally settling the several matters

matters in discussion between his majesty's government and the government of the United States, with James Monroe and William Pinckney, esqrs. the commissioners appointed for similar purposes on the part of the said United States; and the hon. William-Frederick-Elliott Eden, and John Allen, esq. to be secretary and assistant-secretary to the said commission.

Queen's-palace, Aug. 7. Right hon. Henry-Richard lord Holland, sworn of his majesty's most hon. privy council.

St. James's, Aug. 30. Nathan-Egerton Garrick, esq. appointed lieutenant of the yeomen of the guard, *vice* Philip-John Ducarel, esq. resigned.—Philip Lake Godsal, esq. to be lieutenant of the hon. band of gentlemen pensioners, *vice* Roger-Elliot Roberts, resigned.

Whitehall, Sept. 13. Major-general sir John Stuart, knight, created a knight of the Bath.—Robert Anstruther, esq. appointed conjunct-clerk to the bills in the office of his majesty's registers and rolls in Scotland, *vice* sir Robert Anstruther, bart. dec.

Queen's-palace, Sept. 17. Stephen Sharp, esq. his majesty's consul-general in Russia, knighted.

Whitehall, Sept. 23. Major-general sir John Stuart, K. B. permitted to accept the title of count of Maida, in Calabria, conferred upon him by Ferdinand the Fourth, king of the two Sicilies.

Queen's-palace, Sept. 24. Right hon. Charles Grey, commonly called lord viscount Howick, appointed one of his majesty's principal secretaries of state, *vice* Mr. Fox, dec.; and sworn of his majesty's most honourable privy council.

Whitehall, Sept. 27. Right hon. Thomas Grenville, appointed first lord commissioner of the admiralty, *vice* right honourable lord viscount Howick.

Whitehall, Sept. 30. Right hon. George Tierney, appointed first commissioner for the management of the affairs of India, *vice* right hon. Thomas Grenville.

Whitehall, Oct. 6. The right hon. Charlotte baroness de Ros, wife of the right hon. Henry Fitzgerald, commonly called lord Henry Fitzgerald, and her issue, authorized, out of respect to the antient family in which the said barony originated, to assume the surname of De Ros, in addition to that of Fitzgerald, and bear the arms of De Ros, in addition to their paternal arms respectively.

Whitehall, Oct. 8. Henry viscount Sidmouth, declared lord president of his majesty's most honourable privy council, *vice* earl Camden, resigned.

Whitehall, Oct. 10. Wm. Mackworth Praed, serjeant at law, sir Charles-William-Rouse Boughton, bart. Francis-Percival Eliot, Richard Dawkins, Charles Moore, John Sargent, John Anstey, John Whishaw, Philip Deare, and Lewis Jenkins, esqrs. appointed commissioners for auditing the public accounts.

Whitehall, Oct. 11. Horatio Nelson Thompson, an infant, authorized to assume and use the surname of Nelson only, in compliance with an injunction contained in a codicil annexed to the last will and testament of the late lord viscount Nelson.

Carlton-house, Oct. 11. Gilbert Blane, of Cleveland-row, M. D. F. R. S. appointed (by the prince of Wales) one of his physicians in ordinary, *vice* Dr. Turton, dec.; and William Fraser, of Lower Grosvenor-street, M. D. and William Saunders, of Russell-square, M. D.

to be his royal highness's physicians extraordinary.

St James's, Oct. 14. Edward Dawson, esq. appointed standard-bearer to his majesty's honourable band of gentlemen pensioners, *vice* Frederick, resigned.

Queen's-palace, Oct. 15. Right hon. Henry-Richard lord Holland, sworn keeper of the privy seal.

Whitehall, Oct. 15. Right rev. William Cleaver, D. D. bishop of Bangor, recommended, by *congé d'eire*, to be elected bishop of St. Asaph, *vice* Dr. Horsley, dec.—Augusta Murray (commonly called the right hon. lady Augusta Murray), second daughter of John earl of Dunmore, authorized, out of respect to her descent from the family of De Ameland, to take and use the surname of De Ameland, instead of her present surname of Murray.

Treasury chambers, Oct. 24. Right hon. Charles Bathurst, appointed master and worker of the mint.

Whitehall, Oct. 25. Rev. John Martin, presented to the church and parish of Kirkaldy, in the presbytery of Kirkaldy, and county of Fife, *vice* rev. Dr. Thomas Freling, promoted to the church and parish of lady Yester's, in Edinburgh.

Whit hall, Oct. 25. Thomas Francis Fremantle, and William Frankland, esqrs. appointed lords commissioners of the admiralty, *vice* sir Philip Stephens and sir Charles Pole, resigned; the former on a pension, the latter to have a command in the channel fleet.

Whitehall, Oct. 29. Sir George Hilaro Barlow, bart. appointed one of the knights companions of the order of the Bath.

Queen's-palace, Oct. 29. Sir Philip Francis, invested with the order of the Bath.

Whitehall, Nov. 4. Right hon. Alexander Hamilton (commonly called marquis of Douglas and Clydesdale), summoned to the house of peers, by the style and title of the baron of Dutton, co. Chester. Right hon. Archibald earl of Cassilis, created baron Ailsa, of Ailsa, co Ayr. Right hon. John earl of Breadalbane, created baron Breadalbane, of Taymouth castle, co. Perth.

Whitehall, Nov. 7. Right hon. and rev. William Nelson, D. D. baron Nelson of the Nile, and of Hilborough, co. Norfolk, viscount Merton, and earl Nelson of Trafalgar, and of Merton, co. Surrey, permitted to succeed to the title of duke of Bronte, in the kingdom of Further Sicily, granted by his Sicilian majesty to his late brother Horatio viscount and baron Nelson, duke of Bronte, &c. &c. dec.

Whitehall, Nov. 11. Wm. Fraser, esq. of Leadclune, co. Inverness, created a baronet; also, George Nugent, esq. of Waddesdon, co. Bucks, lieutenant-general of his majesty's forces; sir Thomas Boulden Thompson, knt. of Hartsbourne, Manor place, co. Herts, captain in the royal navy, and comptroller of the navy; sir Edward Berry, knt. of Catton, co. Norfolk, captain in the royal navy; James Sibbald, esq. of Sitwood park, co. Berks, with remainder to his nephew, David Scott, esq. of Dunninald, co. Forfar; and Hugh Bateman, esq. of Hartington-hall, co. Derby, with remainders severally to the first of every other son and sons successively of Catharine-Juliana Bateman, eldest daughter of the said Hugh Bateman, esq. and of Anne-Amelia Bateman, another of his daughters.

Whitehall, Nov. 15. Right hon. Alan lord Gardner, created baron Gardner, of Uttoxeter, co. Stafford.

Queen's-

Queen's-palace, Nov. 19. Right hon. sir John Anstruther, bart. sworn of his majesty's most hon. privy council.

Whitehall, Nov. 25. Dugald Stewart, esq. appointed his majesty's writer, printer, and publisher of the Edinburgh gazette.

Whitehall, Dec. 13. Right rev. John Randolph, D. D. bishop of Oxford, recommended, by *congé d'elire*, to be elected bishop of Bangor, *vice* Dr. Cleaver, translated to the see of St. Asaph.

Admiralty-office, Dec. 13. James Kempthorne, esq. Samson Edwards, esq. George Campbell, esq. Henry Frankland, esq. Arthur Phillip, esq. Sir William-George Fairfax, knt. and sir James Saumarez, bart. and K. B. rear-admirals of the red, to be vice-admirals of the blue.

Whitehall, Dec. 20. Rev. Henry Fitzroy, commonly called lord Henry Fitzroy, M. A. to be a prebendary of the collegiate church of St. Peter, Westminster, *vice* the rev. sir Richard Cope, bart. D. D. dec.

SHERIFFS *appointed by his majesty in council for the year* 1806.

Bedfordshire, Wm. Long, of Kempston, esq.

Berkshire, J. I. Libenrood, of Tilehurst, esq.

Bucks, Philip Hoddle Ward, of Tickford Abbey, esq.

Cambridge, and Huntingdonshire, L. Reynolds, of Sturtlow, esq.

Cheshire, Sir Henry Mainwaring Mainwaring, of Over Peover, bart.

Cumberland, J. B. D. Dykes, of Dovenby, esq.

Derbyshire, Francis Bradshaw, of Barton, esq.

Devonshire, Wm. Jackson, of Cowley, esq.

Dorsetshire, Edward Williams, of Herringstode, esq.

Essex, James Urmston, of Chigwell, esq.

Gloucestershire, W. Lawrence, of Shurdington, esq.

Herefordshire, Samuel Davies, of Wigmore, esq.

Hertfordshire, G. S. Martin, of Sandbridge Lodge, esq.

Kent, John Marrison, of Denne Hill, esq.

Lancashire, Le Gendre Pierce Starkie, of Huntroyd, esq.

Leicestershire, F. W. Wollaston, of Shenton, esq.

Lincolnshire, W. Reeve, of Long-leadenham, esq.

Monmouthshire, W. Phillips, of Whitson, esq.

Norfolk, Henry Lee Warner, of Walsingham, esq.

Northamptonshire, T. Carter, of Edgcott, esq.

Northumberland, W. Lynskill, of Tynemouth Lodge, esq.

Nottinghamshire, Sir T. W. White, of Wallingwells, esq.

Oxfordshire, G. F. Stratton, of Great Tew Park, esq.

Rutlandshire, T. Hotchkin, of Telover, esq.

Shropshire, W. Botfield, of Maylin Lee, esq.

Somersetshire, Clifton Wheaton, of Corse, esq.

Staffordshire, W. P. Inge, of Thorpe Constantine, esq.

Southampton, John Hanbury Beaufoy, of Upton Gray, esq.

Suffolk, M. W. Le Heup, of Bury St. Edmunds, esq.

Surrey, Kennard Smith, of Cheam, esq.

Sussex, W. Gorringe, of Kingston by the Sea, esq.

Worcestershire, Sir Thomas-Edward

ward Winnington, of Stamford Court, bart.

Warwickshire, George Lloyd, of Wellcombe, esq.

Wilts, John Paul Paul, of Ashton Keynes, esq.

Yorkshire, J. B. S. Morrits, of Rokesby Park, esq.

SOUTH WALES.

Brecon, Osborn Yeates, of Llangattock Court, esq.

Carmarthen, G. P. Watkins, of Broadway, esq.

Cardigan, Lewis Bailey Wallis, of Peterwell, esq.

Glamorgan, Anthony Bacon, of Cyfartha, esq.

Pembroke, Hugh Webb Bowen, of Camross, esq.

Radnor, Thomas Stevens, of Kinnerton, esq.

NORTH WALES.

Anglesey, Sir Hugh Owen, of Bodewen, bart.

Caernarvon, William Williams, of Llangwstennin, esq.

Denbigh, R. Jones, of Beilam Place, esq.

Flint, Thomas Thomas, of Downing, esq.

Merioneth, Hugh Jones, sen. of Dolgelly, esq.

Montgomery, Wm. Owen, of Bryngwin, esq.

SHERIFF *appointed by his royal highness the prince of Wales, in council, for the year* 1806.

Cornwall, T. Graham, of Penquite, esq.

PUBLIC